

**OBAMA:  
MISSING IN ACTION**  
FRED BARNES • NOEMIE EMERY  
WILLIAM KRISTOL

the weekly

# Standard

SEPTEMBER 1, 2014

\$4.95

## NO LAW, NO ORDER

**CHRISTOPHER CALDWELL**  
reports from  
Ferguson, Missouri

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September 1, 2014 • Volume 19, Number 47



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# Live by the Sword, Die by the Sword

A foolish optimism about human nature can't withstand even a nodding acquaintance with history. If you're of a certain age you may well remember seeing this photo. It was published years ago in *Life* magazine, among other places. And once seen, it is not easily forgotten. THE SCRAPBOOK retrieved the copy reproduced here from the endlessly fascinating World War II Today website, maintained and curated since 2008 by Martin Cherrett (ww2today.com). Here is Mr. Cherrett's description:

Leonard Siffleet was an Australian Special Forces radio operator, sent to Papua New Guinea to establish a coast watching site monitoring the movements of Japanese forces. He and two Ambonese comrades, H. Pattiwal and M. Reharing, were discovered and detained by local tribesmen loyal to the Japanese. After the Japanese had interrogated them for two weeks, all three were beheaded on Aitape Beach on 24th October. If Yasuno Chikao, the Japanese officer responsible, had not asked a comrade to take a photograph of him wielding the execution sword, it is very unlikely that their exact fate would have been discovered.

For several reasons, our thoughts turned to this photo when the president made his remarks last week about

the brutal murder of an American journalist, James Foley, who had been kidnapped in Syria two years ago. It serves as a reminder, as a colleague put it, that this kind of madness is

a record of his crime, a trophy if you will, is nothing new. It bespeaks self-confidence, pride, a belief in the glory and rightness of the cause on behalf of which he kills. The swordsman in the photo is a man, you might say, who believes that history is on his side.

The president last week said of Foley's killer, "people like this ultimately fail. They fail, because the future is won by those who build and not destroy . . ." We might wish that this were the case, but it isn't. Civilizations are mortal, and many fine ones have been both built and destroyed. Those who built them kept them only as long as they defended them.

Something more will be required to defend our civilization than the belief, woven into this president's Oval Office rug, that the arc of the universe bends toward justice.

We knew how to deal with an army of Yasuno Chikaos. For the existence of this photo, and the lessons it imparts, we owe thanks to the U.S. Navy and the American GIs who recovered it from

a dead Japanese officer less than six months after it was taken. They were part of Operation Reckless, an amphibious landing of an entire U.S. Army corps on New Guinea. ♦



*The execution of Australian commando Leonard Siffleet by Yasuno Chikao, a Japanese officer, October 24, 1943*

eternal and "not subject to taming by negotiation. It feeds on itself; loves itself." YouTube may have been invented only recently, but the sick desire of a certain kind of killer to preserve

## A Headline That Raises Concerns

Sometimes it's the little things that draw your attention. The other morning (August 20), for example, THE SCRAPBOOK noticed a subordinate headline for the main story on the front page of the

*Washington Post*, about the racial confrontations in Ferguson, Missouri: "County prosecutor's past raises concerns."

This, thought THE SCRAPBOOK, is a new and surprising, perhaps even disturbing, element. Is the county prosecutor notorious for covering up police misconduct? Was he ever,

himself, on the wrong side of the law? Is he widely reviled in Ferguson's black community? Did he once write a college dissertation on Jefferson Davis?

So THE SCRAPBOOK quickly devoured the front page, where the county prosecutor was quoted as saying that a grand jury would begin



hearing evidence on the shooting death of Michael Brown. No mention, however, of the prosecutor's "past," and so it was on to page A6. There the story continued at some extended length—mostly a rehash of the previous night's events—until about two-thirds of the way through: "On Tuesday," reported the *Post*, "even before the grand jury heard evidence about the shooting, it was obvious that there was enormous political pressure on prosecutors in this case."

That seemed obvious enough! Here was a police shooting of a black man by a white officer, days and nights of marching and rioting and high emotion, the presence of media from around the globe, the imminent arrival of the attorney general, and public comment from the president. Of course there was "enormous political pressure" on the local prosecutor. But what about the "past" that "raises concerns" on the front page of the *Washington Post*?

Well, it turns out that "St. Louis County's chief executive and other [unidentified] local black leaders have said they believe the county prosecutor is not fit to handle the case." Not fit? Why is that? "Because," the *Post* explains, the prosecutor's "father, a police officer, was killed in the line of duty when the prosecutor was 12 years old. [The prosecutor] is white. The man who shot his father was black."

And that's it: When the county prosecutor was a boy, his policeman-father was shot and killed in the line of duty by a gunman. No mention, of course, of the circumstances that led to the father's death, no mention of the fate of his killer—and no mention of any instances where the prosecutor's tragic background might have influenced his official conduct. Nevertheless, the *Washington Post* felt obliged to "raise concerns" about his "past"—on its front page, no less—and whether the prosecutor is "fit" to handle this high-profile case.

The prosecutor, whose name is Robert McCulloch, has said that his father's killing will not (in the words



of the *Post*) "affect his judgment" about Ferguson; nor has the governor of Missouri asked him to recuse himself. And that is as it should be. There is no reported evidence of official misconduct by this prosecutor, and no record of any complaint that McCulloch is not "fit" to do the job he was elected to do. Except, of course, from those unidentified "local black leaders" the *Post* was pleased to quote.

Assuming, of course, that the "leaders" exist, the *Post* might wish to ask them whether they believe that only ex-felons are qualified to prosecute accused felons, or if the killing of one's policeman-father in

childhood should disqualify anybody seeking to serve the public. ♦

## Great Thinkers Online

The Internet may yet become a high-minded place, if our good friends at the Foundation for Constitutional Government have any say in the matter. To complement their websites devoted to important contemporary thinkers (Walter Berns, Irving Kristol, Harvey Mansfield, James Q. Wilson), they have now launched TheGreatThinkers.org, a group of curated websites devoted to political philosophers from Plato to Nietzsche.

Each site features original essays, searchable bibliographies of the key works of the political philosopher, some of the best secondary sources, and a wealth of audio and video content related to that thinker.

THE SCRAPBOOK urges you to send the link—again, it's TheGreatThinkers.org—to college students of your acquaintance as they head back for the fall semester. For that matter, readers may well want to continue their own studies at the site. After all, far too often, higher education is wasted on the young. And we're con-

fident the Great Thinker sites will appeal to readers of all ages. ♦

## Sentences We Didn't Finish

“I taught the first course on rock music for credit in an American university (1970, Ball State University). I taught a course in Phil Spector at a junior college in 1974. It was therefore with great interest, indeed delight, that I . . .” (letter from John Mood of San Diego, *Times Literary Supplement*, August 15). ♦

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The Weekly Standard (ISSN 1083-3013), a division of Clarity Media Group, is published weekly (except the first week in January, third week in April, second week in July, and fourth week in August) at 1150 17th St., NW, Suite 505, Washington D.C. 20036. Periodicals postage paid at Washington, DC, and additional mailing offices. Postmaster: Send address changes to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. For subscription customer service in the United States, call 1-800-274-7293. For new subscription orders, please call 1-800-274-7293. Subscribers: Please send new subscription orders and changes of address to The Weekly Standard, P.O. Box 421203, Palm Coast, FL 32142-1203. Please include your latest magazine mailing label. Allow 3 to 5 weeks for arrival of first copy and address changes. Canadian/foreign orders require additional postage and must be paid in full prior to commencement of service. Canadian/foreign subscribers may call 1-386-597-4378 for subscription inquiries. American Express, Visa/MasterCard payments accepted. Cover price, \$4.95. Back issues, \$4.95 (includes postage and handling). Send letters to the editor to The Weekly Standard, 1150 17th Street, N.W., Suite 505, Washington, DC 20036-4617. For a copy of The Weekly Standard Privacy Policy, visit [www.weeklystandard.com](http://www.weeklystandard.com) or write to Customer Service, The Weekly Standard, 1150 17th St., NW, Suite 505, Washington, D.C. 20036. Copyright 2014, Clarity Media Group. All rights reserved. No material in The Weekly Standard may be reprinted without permission of the copyright owner. The Weekly Standard is a registered trademark of Clarity Media Group.



## Barbering Back Then

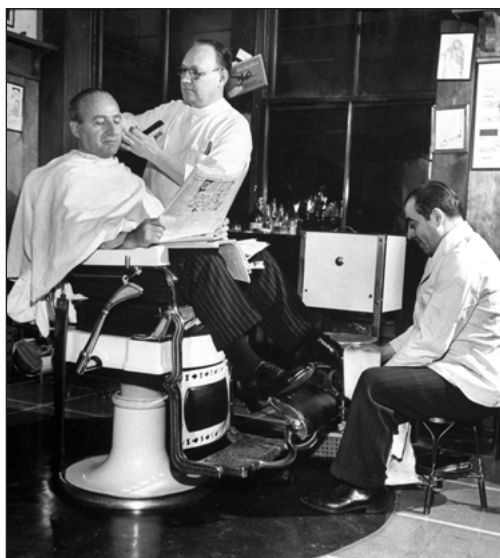
**O**n a recent trip to Washington I had the rare experience of some free time between meetings. Best used to get a much-needed haircut, I thought. A few blocks from my hotel I found myself in a barber shop of the sort that caters to people more modern than I, a gray-haired economist, and generally above my station in Washington society.

It was only after signing in that I noticed how different the place was from the old-fashioned shop I still patronize in New York. First, the owners, undoubtedly having consulted their dog-eared copies of *The Wealth of Nations*, had divided the chores of washing and cutting hair. No longer need the cutter—or *stylist*, as the term seemed to be—wet his hands. Second, this was not actually a barber shop but a *salon*, catering to both—oops, all—sexes. On my right was a woman whose hair was wrapped in aluminum foil. On my left, another woman was being attended to by a female stylist. My male cutter, assigned by the receptionist, was apparently the only person of our gender in the shop.

While being shorn, I pulled out a magazine and began reading a movie review by John Podhoretz. I forget the names of the actors and actresses (I am told the latter term is little used these days) and of the films he mentioned, but do remember Podhoretz maintaining that star power now rests more with women than with men, at least as reflected in box-office receipts. Same as in barber shops, I thought. Which set my mind wandering to my days on the Lower East Side of New York, when barber shops were male sanctuaries and more. Buoyed by a recent *New York Times* article proclaiming that there is

nothing wrong with an occasional bit of nostalgia, I began to recall barbers, bookies, and my father's lesson in the art of tipping.

Thomas Sowell is right: Ethnic groups often cluster in one or a few professions. Barbering was dominated by Italians back then, and the services on offer included not only a cut and daily shave complete with hot towel



*A New York barbershop, 1946*

finish, but on Saturday evenings a hair-comb for teenagers off on a date, and at all times a shoe shine. And a manicure. The patrons of those barber shops did not believe a manicure challenged their manhood, which was on ample display.

The shops also had a few pay phones, used by many of the patrons to place bets for their customers. The theory was that using the phone in your apartment might lead to discovery of your true profession, as opposed to the one shown on your tax return, while a pay phone was immune from outside scrutiny. The bookies took pride in their appearance, and would no sooner be seen unshaven with shoes unshined and nails unpolished

than they would fail to pay up on winning bets. If they had done things right, their books were balanced, so that they were financially indifferent to the outcome of a Friday night fight at Madison Square Garden, a baseball game at Ebbets Field, and just about any horse race (except for the Yonkers trotting races, which were widely believed to be fixed).

These entrepreneurs made their living by undercutting the prices charged by the government monopolies. Their “numbers racket,” as the authorities chose to call their offering of hope to the poor, provided better odds of winning than the government-sponsored lottery. Their prosperity depended on their reputation. They used the barber shop much as today's techies use Starbucks, as a place of business, although in their case this often meant receiving their customers in person, courtesy of the shop owners.

I remember as a kid watching their tipping practices for a guide to my own behavior. This my father reined in when we were having our hair cut in adjoining chairs. The regulars, he said, were tipping for services we did not use, a sort of rent that varied with their means, rather as variable mortgage rates today depend on the whim of the monetary policy

gurus at the Fed.

None of this is to call for a return of the good old days, which, if recollection serves, did have their bad points. If the barbering of old were still in demand it would remain the dominant form of service provision. Instead, the market has produced a variety of offerings, from vertically integrated top-to-toe spas to specialist nails-only stores, the numbers artificially limited by government restrictions on entry.

In my current life, “taking a haircut” means unhappily surrendering part of the value of an asset. Back then, it meant entry into a wonderful world.

**IRWIN M. STELZER**



# No Reply from America?

On Tuesday, August 19, an American citizen, James Foley, was savagely killed. The group of jihadists known as ISIL had previously killed and brutalized tens of thousands of non-Americans. But they killed Foley because he was an American. They titled the grotesque video of this particular act of barbarism “A message to America.”

On Wednesday, the president of the United States of America spoke. It would have been fitting if he had delivered a reply from America. It would have been proper if his reply to the savages who killed James Foley had been that they would be hearing from all of us soon.

Instead, the president began, “Today, the entire world is appalled by the brutal murder of Jim Foley by the terrorist group ISIL.” He went on to say that this act of violence “shocked the conscience of the entire world.”

The president thinks of himself as a “citizen of the world.” Therefore he chose to speak not just for America but for “the entire world.” The entire world seems to have, according to this president, a higher moral status, a higher political standing, than the mere nation-state he was elected to lead. So the president invoked the conscience of the world rather than speaking on behalf of James Foley’s fellow citizens.

But cosmopolitanism is never quite enough. Does “the entire world,” after all, really have a conscience? So the president ventured beyond this-worldly cosmopolitanism. He asserted of the terrorists that “no just God would stand for what they did yesterday, and for what they do every single day.”

Surely all Americans join the president in praying that the killers will face a just God. Surely all Americans join the president in trusting that “people like this ultimately fail.” But Americans also know that “ultimately” might be a very long time. A lot of innocents can die before then. And that ultimate failure isn’t typically caused by the actions of “the entire world,” and perhaps

not even by those of a just God. The president said that the killers fail “because the future is won by those who build and not destroy.” But to make “people like this” fail, the builders need to dedicate themselves to destroying the destroyers. In the past century, the evildoers failed because America and its allies fought them and defeated them.

Perhaps this is merely a 20th-century perspective? The president assured us that “one thing we can all agree

on is that a group like ISIL has no place in the 21st century.” But the first significant event of the 21st century was 9/11. And ISIL is doing a pretty effective job of carving out a place of its own in the new century. Are we all so confident that a group like ISIL has no place in the 21st century? Do we really know that the 21st century won’t be a time of barbarism triumphant? Doesn’t this depend to a large degree on whether America acts to shape the 21st century? Perhaps the choice is between a new American century or a newly barbaric century.

The president closed his remarks on a more patriotic note, by appealing to “the timeless val-

ues that we stand for.” But if values are “timeless,” and if standing for them is a choice, then History doesn’t in fact determine which group has what status in which century.

The president’s words were so vague and weak that Secretary of State John Kerry apparently felt he had to weigh in. So he took to Twitter, the bully pulpit of the 21st century, shortly after the president left for a round of golf, to send a tougher message. “ISIL will be destroyed/ will be crushed,” Kerry tweeted.

Doesn’t the passive voice, though, undercut the toughness? Who is going to be doing the destroying and the crushing? And doesn’t the prophetic conceit undercut the credibility? Is John Kerry a reliable guide to the future? He hasn’t been before. His last such prophecy was that Syria’s Assad would be gone. In any case, prophecy is no substitute for policy. And Vice President Joe



*Spokesman for the world*

Biden said on the same day that the beheading of James Foley would mean no change in U.S. policy.

No change in policy means more victories for barbarism.

—William Kristol

# Hamas's Media Strategy



*Now the cameras show up.*

During the six weeks of Israel's Operation Protective Edge, Hamas has used human shields—women and children—to protect its infrastructure in Gaza. This tactic is meant either to deter Israel from striking at the rockets, attack tunnels, and terrorists that threaten it, or—and for Hamas this is much preferable—to force the Israeli military to fire on Palestinian civilians.

Without reporters and cameras there to document the carnage, the blood that Hamas compels Gazans to shed on its behalf would be wasted. Hamas thus needs reporters in Gaza. But the last thing it wants is a press corps reporting both sides of the conflict—documenting not just the result of Israeli airstrikes but also the Hamas rockets and missiles that drew Israeli fire in the first place.

During Israel's summer 2006 war with Hezbollah, much of the Western media, including at least one *New York Times* photographer, was complicit in the Iranian-backed militia's carefully staged drama intended to implicate Israel in war crimes against Lebanese civilians. Israel's 2008-2009 campaign in Gaza against Hamas, Operation Cast Lead, earned the Jewish state a U.N. commission headed by South African jurist Richard Goldstone that investigated, again, Israeli war crimes against civilians.

Was it really possible that only Israel was culpable for bloodshed in these wars? What responsibility did Hamas and Hezbollah bear for exposing their countrymen to violence? It was hard to tell because the Western media played deaf and dumb.

This time around, it's different. Western media have finally started to push back against the scripted narratives handed to them by terrorist groups. Reporters are beginning to tell the truth about Gaza. A Finnish TV crew showed how Hamas was firing missiles from a hospital. An Indian crew documented how other missiles were fired from residential areas. Hamas also used foreign reporters as shields: A French journalist showed that Hamas had located its arms near a hotel hosting correspondents.

Of course, all these revelations came as the crews were leaving Gaza. Otherwise, they'd have been expelled. As the director of foreign relations for Hamas's information ministry explained, they keep close tabs on foreign journalists. Any who tried to "film the places from where missiles were launched . . . were deported from the Gaza Strip."

Accordingly, last week the Foreign Press Association in Israel, a Jerusalem-based organization frequently critical of Israel, released a statement protesting "the blatant, incessant, forceful and unorthodox methods employed by the Hamas authorities and their representatives against visiting international journalists in Gaza over the past month."

Perversely, even as Hamas was up front about its methods, some Western journalists tried to deny the obvious. The *New York Times's* Jerusalem correspondent, Jodi Rudoren, took to Twitter to call the FPA statement "nonsense"—"dangerous," she wrote. But dangerous to whom? To reporters, to their employers, to their readers and viewers? As is too often the case in journalism these days, it's all about access. Celebrity journalists don't spill the beans about Beyoncé or Brad Pitt because they don't want to lose their access to them. Same with the foreign correspondents who won't tell the truth about Hamas.

Foreign correspondents understand what Hamas expects of them and the consequences for failing to play by its rules. Western media, from Hamas's perspective, are in Gaza for one purpose only—to document Israeli attacks. Taken out of context, without photos and videos of Hamas missiles launched from civilian areas, Israeli military action will be seen as wanton violence. If reporters based in Gaza can't report on Hamas's missiles and rockets, or even

NEWSROOM



Hamas fighters, then who is Israel firing on? Unarmed Palestinians, of course. Hamas sees Western media as the documentarians of Israeli war crimes, and only that.

The Palestinian terror group has a very canny understanding of our media stars. Too many are vain. They want the story, and if it's in a war zone they want to be praised for bravery under fire. That's human and in some cases admirable. The problem is, when you're taking orders from Hamas, you're not really covering a war. You're collaborating with a terrorist group. It's good that finally some in the Western media are coming to understand that.

—Lee Smith

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# A Not So Grand Jury

**O**n August 15, a grand jury in Travis County, Texas, shocked the Lone Star State when it handed up an indictment of Governor Rick Perry, a likely candidate for the GOP presidential nomination in 2016. According to the grand jury, Perry abused his power in 2013 when he attempted to get the county's Democratic district attorney, Rosemary Lehmberg, to resign by threatening to terminate an appropriation for her office.

What exactly did Perry do to win the attention of a special prosecutor and grand jury? On April 12, 2013, district attorney Lehmberg was arrested for drunk driving and engaged in shameful behavior while being booked (the remarkable footage is on YouTube). In a plea agreement, Lehmberg conceded guilt and received a 45-day jail sentence. Perry (and other state leaders) said she should resign on account of the scandalous episode. That June, Perry upped the ante by saying that if she did not resign he would use his line-item veto authority to cut from the biennium budget \$7.5 million that was designated to fund the unit within her office that investigates public corruption statewide. Lehmberg refused to resign, and Perry vetoed the appropriation.

According to the grand jury, Perry's actions violate two state laws: one concerning "abuse of official capacity," the other "coercion of a public servant." Well, let's see.

Under the abuse of office statute, "a public servant commits an offense"—a first-degree felony, punishable up to 99 years in prison—"if, with intent to obtain a benefit or with intent to harm or defraud another, he intentionally or knowingly . . . misuses government property, services, personnel, or any other thing of value belonging to the government that has come into the public servant's custody or possession by virtue of the public servant's office of employment."

And under the coercion statute, "a person commits an offense"—a third-degree felony, punishable up to 10 years in prison—"if by means of coercion he . . . influences or attempts to influence a public servant in a specific exercise of his official duty or a specific performance of his official duty or influences or attempts to influence a public servant to violate the public servant's known legal duty."

The indictment joins the two statutes in applying them to Perry. The \$7.5 million for the public corruption unit is the "government property" that "came" into Perry's "possession by virtue of" his being governor and thus having a role in the legislative process, including the making of budgets (and thus of exercising the item-veto). Perry "misused" that property by first threatening to veto and then actually vetoing the appropriation for it in an attempt to influence a public servant, Lehmberg, in the performance of her "official duty." There are problems here.

To be literal about it, the "government property" never "came" into Perry's or anyone else's "custody"—after all, Perry vetoed the appropriation. If this "government property"—this money—was in anyone's "custody," UCLA law professor and blogger Eugene Volokh has mused, it was in the hands of the Texas Comptroller of Public Accounts. Further, Perry wanted to get Lehmberg to quit her job, to leave. His was not an effort to get her to take some action in a particular investigation or prosecution—the circumstance the coercion statute clearly has in mind.

Significantly, Perry's threat was a quite public one, made unawares that anyone might think it a crime, and it was certainly an attempt to influence Lehmberg to step down. Yet under the strange theory of the indictment, Perry could have vetoed the appropriation without ever threatening such action, and no grand jury would have been impaneled, since there would have been no "attempt to influence a public servant." Thus, it is the threat, the attempt to influence, that matters and is said to be criminal in this indictment.

It apparently does not matter to the grand jury that the attempt to influence involves the use of a power vested in the governor the exercise of which does not have to be justified: The Texas chief executive may veto for any reason, or none at all.

Students of the veto power know that it is never quietly exercised, that it is always preceded by "threats" of varying degrees of intensity intended to achieve some change before a bill is passed and presented to the executive for his signature. Nor is it uncommon to see efforts to defund offices take place when budgets are made. Even so, it is not necessary to agree with Perry's veto of the allocation for the public corruption unit to see that if the grand jury's understanding of the law prevails, the "official capacity" of the Texas governor in the hurly burly of ordinary politics in the state capital will be narrowed considerably.

The indictment of Rick Perry does not follow the usual template in public corruption cases. That is, it is not a

“prejudicial” indictment that sets forth at length a story of criminality by some especially venal public servant. Rather, the indictment is short, just two pages, spare on facts, and treats the governor with respect.

No one knows what else the special prosecutor, Michael McCrum, might have found. He says he conducted more than 40 interviews before presenting his case, and it could be that he has other information that better fits the laws he’s working with. One grand juror (a prejudicial one, you think?) told the *Houston Chronicle* last week that the still-favorable impression of Perry across the state would change “if and when the facts come out.”

Based on what is actually known so far, however, *Texas v. Perry* is a troubling case from the standpoint of the separation of powers and of a politics in which freedom of speech is vigorously protected within government and the citizenry. It is a case that should have been declined by the prosecutor, just as it now should be tossed by the judge handling the case, if only because of the inapposite nature of the laws on which it rests.

—Terry Eastland

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# Bureaucrats Bearing Arms

**T**he riots in Ferguson, Missouri, have spawned a heated and, one hopes, productive debate about the “militarization” of the police. While one can argue about the tactics and weaponry used by police, however, there’s little debate about the necessity of cops being armed. The real problem is the thousands of agents in federal regulatory bodies who likely have no business being armed at all.

According to the *Wall Street Journal*, in 1973 there were 507 federal criminal investigators, excluding those in federal departments with explicit law enforcement duties such as Treasury, Justice, and Defense. By 2011, the ranks of armed federal agents in civilian regulatory agencies had swollen to 3,812. In 1973, the forerunner to the Department of Health and Human Services had exactly one armed investigator. Today, HHS has 686 criminal investigators—more than any other agency. Even the Peace Corps now has four criminal investigators in-house.

Of these thousands of investigators, a great many are armed. The Department of Education, Railroad Retirement Board, and dozens of other federal agencies have their own SWAT teams. In May, the Department of Agriculture put in a request to procure .40 caliber submachine guns.

The hazard here should be obvious—as Homer observed millennia ago, “iron by itself can draw a man to use it.” And sure enough, in recent years we’ve seen a spate of uses of force by regulatory agencies.

Last October, the EPA examined the paperwork of a family-owned mining operation in Chicken, Alaska—population seven—by showing up in flak jackets and M-16s, provoking outrage among members of Congress. Thanks to a recent regulatory change, the FDA is no longer required to get a court order before seizing food it deems unsafe. The result has been multiple armed raids on sellers of raw milk, including a health food store in California and an Amish farmer in Pennsylvania—twice. In 2011, a SWAT team from the Department of Education kicked down a man’s door at 6 A.M., handcuffed him, locked his three kids in a police car for hours, and ransacked his house because his estranged wife was suspected of student loan fraud. A federal SWAT team raided the studio of an Atlanta deejay in 2007 in an attempt to enforce copyright laws, though the suspect was apparently uninvolved in any commercial piracy. And so on.

Representative Chris Stewart, a Republican from Utah, has proposed a remedy to the problem of zealous and violent federal enforcement entitled the Regulatory Agency Demilitarization Act. The bill would freeze weapons purchases by civilian agencies, who would then have 90 days to justify their need for “specialized units that receive special tactical or military-style training,” along with detailing the weapons they possess, the cost of maintaining such units, and the circumstances under which they have been deployed. Agencies would have to issue such reports annually. The bill would also negate a 2002 law that empowered 60 inspector general offices to arrest suspects.

Stewart’s bill has 28 cosponsors, and industry groups such as the Farm and Ranch Freedom Alliance—perhaps wary of being on the business end of a .40 caliber submachine gun—are supportive. “If agency officials face a situation in which armed backup is truly called for, they can go through the proper procedures to have support from the Department of Justice,” they noted in a July 29 press release.

Stewart’s bill is a sensible way to begin to limit what seems to be too much regulatory enforcement at gunpoint. Surely the growing ranks of armed federal agents are one of the least defensible aspects of our runaway administrative state. When the Founders wrote the Second Amendment, they considered all Americans as potential members of the militia largely as a response to the fact that the crown had empowered special militias who often served their own aims rather than the public interest. It should not be surprising that when federal agencies have largely unchecked power to impose their will with their own little militias, it leads to abuse. It’s an abuse that shouldn’t be hard for Congress to stop.

—Mark Hemingway

# Going for the Gold

Jeff Bell's unorthodox Senate campaign.

BY ANDREW FERGUSON

*Teaneck, N.J.*

‘Welcome to our campaign headquarters,’ Jeff Bell said to an out-of-town reporter the other evening, standing in the lobby of a convention hotel here, hard off the Interstate. He wasn’t kidding: This is indeed the headquarters of the Jeff Bell for U.S. Senate campaign, for the moment anyway. He could do worse. The lobby is airy and spacious, the bathrooms are clean and commodious, and the location can’t be beat.

A half-dozen fresh-faced young volunteers were perched on sofas and overstuffed chairs, laptops open, plugged into the WiFi the hotel provides free of charge.

Bell looked them over good-naturedly. “Our campaign staff,” he said. Three of them are his children.

If there’s a single phrase that summarizes the Bell campaign on the cusp of Labor Day, it’s one he repeats often: “We’re broke.” The encampment in the hotel lobby is strong evidence that he’s not kidding about this either. In June he beat a motley of candidates in the New Jersey Republican primary and earned the right to challenge Democratic senator Cory Booker, who is running for his first full term after winning the seat left open last year by the death of Frank Lautenberg. Booker is a well-known former mayor of Newark and the love object of a swooning press, both in-state and out. He’s the heavy favorite in navy blue New Jersey, and Bell has been stymied at every turn in his effort to raise money for his campaign.

*Andrew Ferguson is a senior editor at THE WEEKLY STANDARD.*



The national party, notably the National Republican Senatorial Committee, has refused to help a race that most Washington chin-pullers and green eyeshades agree is hopeless. “The day after the primary, we called them,” Bell said about the NRSC. “Five times. They wouldn’t even return our calls. They won’t meet with us when we go to Washington.”

Even independent groups like the Club for Growth or the Senate Conservatives Fund, who brag of their daring and courage in supporting conservative insurgents, show no willingness to pitch in. It doesn’t help that Booker already has \$3.5 million in cash on hand, thanks to a career spent cultivating Wall Street moneymen. If you were mayor of Newark, you’d spend a lot of time in Manhattan too.

What frustrates Bell and his many well-wishers is that the race against Booker may not be as hopeless as the spreadsheets suggest. At 55 percent to 44 percent, Booker’s special election victory last year over a self-funding Republican unknown was weaker than most people expected. A few weeks ago, in early August, a poll by Quinnipiac University of registered voters showed Booker’s support at 47 percent, below the 50 percent mark that any healthy incumbent should expect. Amazingly, Bell was hard on his heels at 37 percent, even though the same poll showed that fewer than 25 percent knew who he was. A CBS/*New York Times* poll—this time of likely voters—put Bell within 7 points of Booker.

Bell has been here before—or close, anyway. In 1978 he entered the New Jersey Republican primary against the incumbent senator, Clifford Case, an exemplar of the liberal Republicans who once roamed the Northeast but are now found only in museums of natural history, stuffed in extinction as they were in life. To the amazement of everyone, Bell included, he deposed Case easily, though he went on to lose the general election, badly, to the celebrated basketball star Bill Bradley. As it transpired, Case was the last Republican elected to the U.S. Senate from New Jersey. Bell tried again four years later, running against another liberal Republican in the 1982 Senate primary, and lost.

He decided to run only earlier this year, he says, “around the time of the Super Bowl.” He had a week to roll up the 1,000 signatures necessary to get on the ballot. On its face the decision might look impetuous, not to say quixotic. Bell is 70, a well-regarded Washington advocate and policy

GARY LOCKE



entrepreneur, author of two highly original books on American politics, and a genuine intellectual—not the profile of a typical Jersey candidate. He hasn't lived in the state since his last lost election 30 years ago. Tall and gray and angular, deliberate in manner and speech, he has none of Booker's telegenic bonhomie.

His decision to run, far from impetuous, came as a kind of last resort, the anticlimax of a "long, rather involved process." For several years now Bell and his associates at the American Principles Project, one of the many advocacy groups and think tanks he has either founded or led, have been making the rounds on Capitol Hill. They've been trying to persuade congressmen and senators to sign on to his grand policy project, or what some with a continental flair might call his *idée fixe*: taming the Federal Reserve's loose-money regime by pinning the U.S. dollar to the price of gold.

They knocked on door after door, took meeting after meeting. "Nobody would listen," he says. He shouldn't have been surprised, and wasn't. Republican and Democratic officeholders alike have been corrupted by easy money: Zero interest rates artificially lower payments to finance government debt, disguising the annual deficit and making it easier to spend, spend, spend. "We couldn't even get anyone to give a single speech."

Frustrated on Capitol Hill, Bell turned to the hinterland for a candidate to take up the cause in a Senate race. "I'm convinced that unless there's something new on the Republican menu in 2014," he says, "there won't be anything new to offer in 2016, and Republicans will probably lose again."

As a veteran of Ronald Reagan's gubernatorial and presidential campaigns, Bell clings to the antique notion that the purpose of a political campaign is to embody an idea, and that a successful campaign can force the political class to take the idea seriously, no matter how far outside the mainstream. Many Reaganauts credit Bell with convincing Reagan to adopt a proposal for radical tax-rate reductions as he prepared to run for president in 1980, a

policy endorsed by a cult-like circle of supply-side enthusiasts and condemned as insane by right-thinkers of both parties. After Reagan won, Congress passed the tax cuts with bipartisan, if grudging, support. Marginal rates on income fell by one-third, and the course of the American economy was forever altered.

Bell came up empty in his search for a senatorial candidate who would make the gold standard the central issue of a campaign this fall. This left him nowhere to turn but the mirror.

"I'm a one-issue candidate," he says over dinner in the hotel restaurant, with his staff tapping away across the lobby. "I don't really want to get into state issues. With no money, my only real opportunity is to be known for just one thing."

So Bell, an eloquent and ardent proflifer, defense hawk, and foreign-policy interventionist, ties nearly every issue he's asked about back to the destructive power of paper money. He spent \$90,000 on his primary campaign. Almost \$60,000 of that went to mail a three-page letter to a list of 99,000 Republicans who had voted in the 2013 primary. The letter is charming and impressive in its earnest refusal to pander and condescend to its audience, or to affect the breezy tone of typical campaign come-ons. Breeziness is probably hard to do anyway when you're talking about the gold standard.

"Why is it so important to return to gold-dollar convertibility now?" his letter asked the unsuspecting Republican voters of New Jersey. "**Things have gone too far for limited half measures to work**" [overemphasis in the original]. A return to the gold standard, he concedes, would of course result in higher interest rates, as the dollar sought its own level of value without direction from the Fed.

"Washington's political elites and Wall Street's financial elites are deathly afraid that cutting off the dollar printing press will hasten a new financial crisis," the letter goes on. "They may well be right. What they don't want to think about is that a new financial crisis will happen anyway. [Meanwhile], the U.S. economy is trapped in a bleak

landscape and the middle class continues to be ground down."

It's not exactly the old Reaganite "Morning in America." But then again, it's not morning in America. Bell credits the letter with his primary victory, precisely because average Americans agree with his diagnosis, even if they remain uncertain about his cure.

"It's effective because people are puzzled," he says. "They're being told we're in a recovery. They're being told things are getting better. And they know they're not."

Consider the cost of living—a persistent concern despite officialdom's insistence that inflation is under control.

"Well, sure, the price of an iPad may fall by half," he says. "But people know their wages are not keeping up with the prices they pay regularly. The price of food, energy, medical care—all going up while wages stay flat. You tell people inflation is not a problem, they'll laugh in your face."

Bell's difficulty as a political candidate isn't necessarily his single-minded advocacy of the gold standard—it's that the gold standard would end the financial bacchanal being enjoyed by the wealthy people who finance political campaigns, and they show nothing but hostility to Bell's gold-plated party-pooper. Chris Christie, New Jersey's Republican governor, has agreed to host two fundraisers for Bell this fall, but beyond that it's not clear where the money will come from.

"Christie has been great," he says. "I had a 12-minute phone conversation with him not long after the primary. Christie is not my problem. My problem is being shut out of Washington"—the Republican money machine stoked by the partiers of Wall Street and increasingly disconnected from ordinary folk back home, who are dreading the morning after.

Nevertheless, says Bell, "I'm having a lot of fun. I'm 70 years old—I don't want a career in politics. I'm relaxed about who I am and what I'm doing."

"A lot of the experts who specialize in telling you what voters think say you can't talk about what I'm talking about. They say voters just won't understand it. But that's not what I'm seeing." ♦

# A Privileged Press?

Why James Risen may be headed for jail.

BY GABRIEL SCHOENFELD

After nearly four years of procedural delay, the trial of former CIA officer Jeffrey Sterling is set to open shortly. Sterling was indicted at the end of 2010 for leaking information about a top-secret CIA operation to James Risen of the *New York Times* in violation of the espionage statutes. It is difficult to regard Sterling as in any sense a whistleblower, though, predictably, he calls himself such. He appears to have given Risen CIA secrets as a way to settle scores with the agency in a dispute over the presence of classified information in memoirs he sought to publish and also for being the victim of what, following a poor performance review, he claimed was racial bias.

The trouble all began in August 2000, when Sterling, who is African-American, filed a racial-discrimination complaint against the CIA that the spy agency's equal-employment office found had no foundation. A year later, Sterling filed a suit against the CIA based on the same complaint. In the weeks after 9/11, Sterling demanded a cash settlement, which the CIA declined to provide. Over the course of the next two years, Sterling put forward additional settlement demands, with the final one totaling \$200,000 to be accompanied by a favorable employment recommendation. When that too was refused, Sterling filed a second lawsuit regarding CIA restrictions on his unpublished memoir. He also allegedly began funneling top-secret information to

James Risen. Both of Sterling's lawsuits were eventually dismissed by the courts.

The leaked information in question concerns Operation Merlin, a plan to pass along faulty blueprints of the trigger of a nuclear bomb to Iranian nuclear scientists. If Risen's reporting is to be credited—and there



James Risen

is reason not to credit some of its most important details, as I noted in "Not Every Leak Is Fit to Print" (in the February 18, 2008, issue of this magazine)—subtle errors in the drawings were intended to derail the progress of Iran's bomb-making effort. CIA director George Tenet and national security adviser Condoleezza Rice warned *Times* higher-ups that information in Risen's proposed story would not only compromise the U.S. ability to collect intelligence about Iran, but might also lead to violent reprisal against and even the death of an individual that the CIA has identified only as "human asset No. 1."

Editors at the *Times* listened to

the CIA's caution and weighed it against the news value of the story. This became one of the exceptional occasions in which the editors of the paper heeded the government's warning. The *Times* spiked Risen's story. But that was not the end of it. Risen turned around, did some additional reporting, and then published the secrets of Operation Merlin on his own as a chapter in his 2006 book, *State of War: The Secret History of the CIA and the Bush Administration*.

The prosecution in the Sterling trial intends to call Risen as a witness under subpoena and ask him to tell the jury about the source of the ultra-sensitive secret information that appears in his book. Risen, the only direct witness to Sterling's alleged criminal acts, has vowed not to answer the question. To do so, he says, would break a promise he gave to his source. He therefore faces the possibility of being held in contempt and sent to prison, just like former *New York Times* reporter Judith Miller, who in 2005 spent 85 days in the Alexandria Detention Center in Virginia for refusing to testify in the Valerie Plame imbroglio.

For several years running, Risen and a gaggle of attorneys representing the *Times* and other media organizations have been contesting the subpoena, insisting that as a reporter Risen enjoys a testimonial privilege akin to the priest-penitent, attorney-client, and husband-wife privileges recognized in law. The courts have not agreed. In June, without comment, the Supreme Court turned away Risen's last possible appeal. The justices evidently do not care to depart from their landmark 1972 ruling in *Branzburg v. Hayes* that the First Amendment confers no testimonial privilege upon journalists.

The Court acted as it did in *Branzburg* for a number of reasons, one of them being to protect the longstanding American tradition of defining the press in a maximally encompassing way. Thanks to the First Amendment, anyone in our country who conveys information or opinion can be considered a member of the press.

Gabriel Schoenfeld, a senior fellow at the Hudson Institute, is the author of *Necessary Secrets: National Security, the Media, and the Rule of Law*.

AP / ALEX MENENDEZ

The Court did not wish the federal government to get embroiled in determining who would and would not be eligible for a journalistic exemption: “Sooner or later,” Justice Byron White wrote memorably, “it would be necessary to define those categories of newsmen who qualified for the privilege, a questionable procedure in light of the traditional doctrine that liberty of the press is the right of the lonely pamphleteer who uses carbon paper or a mimeograph just as much as of the large metropolitan publisher who utilizes the latest photocomposition methods.”

Of course, by any definition, James Risen is a journalist. He has published hundreds of stories in our nation’s leading newspaper and won a Pulitzer Prize. But he is also a particular kind of journalist. In grasping what is at issue in his refusal to testify, it is worth gaining an understanding of precisely what kind of newsman he is.

The *New York Times* prides itself on maintaining the highest professional standards. To help its reporters and editors keep themselves in good standing, it has published a code of conduct under the title *Ethical Journalism: A Handbook of Values and Practices for the News and Editorial Departments*. The guidebook is designed to advance the *Times*’s “essential interest in protecting the integrity of the newspaper.” It proclaims that the newspaper’s “greatest strength is [its] authority and reputation” and “we must do nothing that would undermine or dilute it and everything possible to enhance it.”

To pursue those ends, the handbook promulgates a number of regulations to safeguard the newspaper’s “irreplaceable good name.” It enumerates various kinds of infractions, including such obvious no-nos as using inside information to purchase stocks or establishing romantic relations with news sources. Some of the most serious strictures involve political activism, which for journalists must be disallowed in conformity with the overarching obligation to “protect the impartiality and neutrality of the *Times*.”

The handbook thus instructs

that “no one”—not just reporters and editors, but also photographers, graphic editors, art directors, and everyone else whose work shapes the content of the paper—“may do anything that damages the *Times*’s reputation for strict neutrality in reporting on politics and government.” One cannot wear a campaign button or allow one’s spouse to put a political bumper sticker on the family car. When appearing on television and radio shows as guest commentators, reporters “should avoid expressing views that go beyond what they would be allowed to say in the paper.” Op-ed columnists and editorial writers are given more leeway “because their business is expressing opinions,” but for reporters “these restrictions protect the heart of our mission as journalists.”

That is the theory, at least. As Risen’s case illustrates, practice is often something else. Risen has built his reportorial career out of revealing the U.S. government’s most sensitive intelligence secrets. But he has a separate yet related career as a left-wing polemicist. His editors may tone him down in the pages of the *New York Times*, but in the pages of his own publications, like *State of War*, he does not hew to the newspaper’s demand for “strict neutrality in reporting on politics and government.” Much of that book is a diatribe against the Bush administration for embarking on what he calls a “radical departure from the centrist traditions of U.S. foreign policy.”

The book opens with the assertion that President Bush, under the influence of “a cadre of neoconservative ideologues,” drifted to right-wing extremes. He “allowed radical decisions to take effect rapidly with minimal review.” His Middle East policy amounted to nothing more than an “enormous gamble” with American interests “and with the lives of American soldiers.” The administration repeatedly engaged in “outrageous operations.” Moderate State Department officials were “stunned” time and again by the audacity of the “hardliners.” And so on and so forth.

Risen—it is not a closely held

secret—is a partisan in our country’s partisan wars. That is all fine and good; he is free to express his opinions and the country thrives on uninhibited, robust, and wide-open debate. The *New York Times*, by the same token, is free to allow its reporter to violate its own guidelines without consequence. Our newspaper of record’s pretense of “impartiality and neutrality” has long since gone from being the “heart of its mission” to being the stuff of farce. With all the self-praise that the unnamed authors of the *Ethical Journalism* handbook piously heap upon the *Times* for irreproachable integrity and scrupulous observance of the “highest possible standards,” the document resembles nothing so much as the old Soviet constitution, full of wonderfully humane provisions, all for show.

The handbook contains a section instructing journalists that they “must obey the law in the pursuit of news.” It enumerates a number of specific crimes from which they are especially enjoined, like tapping telephones or stealing data, and it concludes with the categorical command that “they may not commit illegal acts of any sort.” Of course, it was perfectly legal for Risen to publish information in his book that endangered the life of the CIA’s “human asset No. 1” while also compromising intelligence sources and methods. But it is striking that at no juncture did the editors of the *New York Times* exhibit any evidence that they were perturbed by the fact that their employee acted in a fashion that they themselves, as a responsible news organization, deemed injurious to their country.

If all that was perfectly legal, it is perfectly *illegal* to refuse to testify in response to a valid subpoena. Risen and his colleagues may disagree with the law that commands such testimony, and they were fully within their rights to challenge it in the courts on First Amendment and other grounds, as they have done. But those challenges failed. The law is clear and it remains in force. It is thus one thing for Risen to fail to comply with his employer’s meaningless



ethics handbook. It is another for him to pick and choose which laws of our country he will deign to observe and which illegal acts he will feel free to commit.

In successive sessions, Congress has considered establishing a reporter's privilege only to reject such "shield-law" legislation. The American people have not exactly been clamoring to give a federal get-out-of-jail card to practitioners of an institution they do not hold in particular esteem. They prefer instead, it appears, to preserve a bedrock principle of Anglo-American jurisprudence, put forward in the 18th century in the classic phrase of Lord Chancellor Hardwicke (Philip Yorke), that "the public has a right to every man's evidence." By insisting upon a right not to testify in the Sterling case even after our nation's highest court has turned away his appeal, Risen—pursuing his own highly partisan agenda while simultaneously endangering public safety—is placing himself above the law, a law that he and his supporters believe need only be observed by the little people.

In the Sterling case, the Obama Justice Department led by Attorney General Eric Holder—not the most hardline conservative the country has ever had serving as attorney general—is prosecuting a crime that imperiled the life of someone working undercover for our country to stop Iran from developing nuclear weapons. No one is under any obligation to make promises of eternal silence to traitors seeking to derail American intelligence as it works to avert a great danger to world peace. Nor can anyone stop a political-activist/reporter from choosing to face punishment for refusing to fulfill his obligation as a citizen to testify. In this case, he is the only individual with direct first-hand evidence of Sterling's guilt or innocence for a serious crime. A jury charged with seeking the truth needs to hear what he has to say. Declining to testify is contempt, which is exactly the right word, for Risen is being contemptuous of both our democracy's fundamental need for security and its duly enacted laws. ♦

# James Foley, 1973-2014

A courageous journalist killed by terrorists.

BY DAVID DeVoss



*James Foley in the field before his November 2012 capture*

In the end, Jim Foley died just as he wanted to live, pursuing a story that mattered on the front line of hard news journalism. In Afghanistan, Libya, and finally Syria he recorded the horror, chaos, and occasional compassion that define the war on terror. But it was his gruesome killing on the barren sands of a foreign land that truly conveys the evil that envelops the Islamic Caliphate's hooded assassins.

I got to know Jim Foley in 2009 when both of us worked on

*David DeVoss worked as a Time magazine war correspondent in Vietnam, Cambodia, Nicaragua, El Salvador, and Afghanistan.*

USAID-funded development projects in Baghdad. A former Teach for America instructor, Foley helped organize conferences and training seminars for a program designed to rebuild Iraq's civil service, crippled by decades of isolation and autocratic administration.

We lived in a Red Zone compound guarded by African mercenaries and surrounded by concrete T-walls topped with razor wire. It was possible to see the surrounding Mansour neighborhood by climbing to the roof of a bombed-out building once used by Saddam's intelligence service. But for the most part Jim Foley's Iraq was an aural experience

punctuated by nightly small arms fire, daily calls to prayer, and nearby car bombs that would blow out office windows and leave his apartment carpeted with glass.

Foley's job took him "outside the wire," but his glimpses of Baghdad came through the thick windows of an armored car that would drive as fast as possible directly to a government ministry. Put in place in early 2004 after al Qaeda beheaded several Westerners involved in the rebuilding effort, the tight security prevented further kidnappings. But the restrictions also made it difficult for private contractors hired to implement development programs to really get to know Iraq.

Foley chafed under these restrictions. He wanted to understand the passions driving the conflict and meet the people whose lives had been upended by war. So in 2010 he left Iraq and moved to Afghanistan to become a freelance journalist.

Foley had been in Afghanistan for about six months when I called him on Skype. The company I worked for had an opening in Kabul for a communications director. Would he be interested in the job? "I know it will pay more than you're earning as a freelance journalist," I hinted. "Try it for six months."

Foley laughingly said no thanks. "I'm finally doing what I want," he said. "Yeah, the money's not great, but I think I'm making a difference. Somebody needs to report what's going on here."

In 2011, Foley moved to Libya, where he was captured and held along with two other journalists for 44 days. Following his release he briefly returned to the United States and visited Northwestern University's Medill School of Journalism. There he tried to explain to students the attraction of war zones. "The honest fact is that when you see something really violent, it does a strange thing to you," he confided. "It doesn't always repel you; it draws you closer. Feeling like you've survived something—it's a strange sort of force that you are drawn back to. I think that's the absolute reality." ♦

# No Mo' Cuomo?

Rob Astorino tries for an upset.

BY MICHAEL WARREN



*Rob Astorino speaking to reporters outside the state capitol*

*Queens, N.Y.*

Peter Tu is thrilled about meeting with Rob Astorino, the Republican candidate for governor of New York. Tu is the executive director of the Flushing Chinese Business Association and a leader in the large Chinese-American community in Queens. He's also a self-professed Democrat. But he's nonetheless starstruck by Astorino.

"He is a movie star!" Tu says, several times, as he introduces the Republican. With his perfectly parted hair and sonorous tenor, the 47-year-old Astorino may look and sound the part, but the Westchester County executive spent his career not in movies but in sports radio, founding and heading up New York's ESPN radio station. And despite Tu's excitement

over meeting a big-timer, Astorino is still relatively unknown just two-and-a-half months before the election. In one recent poll, more than half of respondents said they didn't know enough about Astorino to have an opinion of him.

But things may be changing. "These are the kind of meetings that weren't being granted six months ago, but now people are starting to think that we've got a chance to win," the candidate tells me as we leave the Chinese business group meeting in Flushing. Later in the day, Astorino does a walking tour of a strip of South Asian-owned jewelry and clothing shops in Jackson Heights, and an honest-to-God entourage of Indian men are following close behind, eagerly craning their necks and snapping photos on their phones. At a lunch stop in Corona, a working-class neighborhood where Astorino's mother grew

*Michael Warren is a staff writer at THE WEEKLY STANDARD.*

AP / MIKE GROLL

up, restaurant staff and customers approach to get their pictures taken with the candidate. “For our Facebook page,” gushes the hostess. One college-bound teen from Long Island is there with his family and asks politely for a photo. Astorino obliges, wishes the kid good luck as he heads off to school, and adds, “Don’t forget to vote absentee!”

Of course, he’ll need more than attention in his bid to unseat Democratic governor Andrew Cuomo. Since Astorino announced he was running in March, Cuomo has led by at least 30 points in nearly every poll. The latest survey, from Quinnipiac, shows Cuomo with 56 percent support and Astorino with 24. The best polling news for the Republican in months came in July, when the *New York Times* and CBS News found him trailing by “only” 24 points.

But better, possibly game-changing news for Astorino also came that month, when the *Times* revealed that federal prosecutors were investigating Cuomo and his aides over the abrupt closure of a powerful anticorruption commission. Cuomo himself established the 25-member Moreland Commission in July 2013 as an answer to the state’s culture of corruption, a way of, in the words of the governor and a big banner behind him at the press conference, “restoring public trust.” The commission made it into Cuomo’s campaign ads, with the governor pitching an “independent commission” led by “top law enforcement officials” to “clean up the legislative corruption in Albany.”

But as the *Times* reported, the commission’s investigations into campaign-finance law violations were “hobbled” once it began looking into officials connected with Cuomo. In one instance, the commission subpoenaed an ad-buying firm while investigating the activities of the state Democratic party. The firm, however, had also done work for Cuomo’s 2010 campaign for governor. According to the *Times*, a senior Cuomo aide called one of the commission’s co-chairs and told him to “pull back” the subpoena. The subpoena, the paper reports, was

“swiftly withdrawn.” It would be one of several questionable interventions into the anticorruption panel’s activities by the governor’s office. In March 2014, Cuomo shut down the Moreland Commission entirely, nine months before its proposed closure, prompting the Manhattan U.S. attorney’s office to investigate.

If the federal investigation into Cuomo and the Moreland Commission becomes a full-fledged scandal, it could be the boon Astorino’s been looking for. New Yorkers are already fed up with their corrupt state government—Quinnipiac finds more than 80 percent say corruption is a “very” or “somewhat serious” problem. Since 2010, nine current or recent members of the state assembly have been convicted on corruption charges ranging from tax evasion to bribery to mail fraud. The former Democratic state senate majority leader was found guilty of embezzling millions of dollars from public health clinics. But for Astorino, the Moreland Commission investigation tops them all.

“He puts together an anticorruption commission and corrupts it,” Astorino says. “That tells you everything you need to know about New York.”

Astorino hopes “Cuomogate” will prompt voters to stop simply “rolling their eyes” and realize how widespread and expensive the problem has become. “The corruption is, in many ways, paid for by the average New Yorker in a stealth corruption tax,” he says. “The slimy deals they cut for themselves in Albany have to be paid for. Who pays for that? We all do in higher taxes, a poorer business climate.”

Astorino needs the anticorruption message to resonate not just in the conservative upstate region but also the New York City suburbs, where residents are paying their “corruption” tax through, among other things, high property taxes. Between 2008 and 2012, property tax rates increased by more than 28 percent statewide but by 35 to 40 percent in the suburban New York counties. Democrats have recently had success in these counties—Westchester, Rockland,

and Orange, and Nassau and Suffolk on Long Island—but only marginally. Cuomo in 2010 and Eliot Spitzer in 2006 won the New York suburbs handily, but in 2012 Barack Obama won most of these areas by only a couple percentage points.

While Democrats have had a loose hold on the suburbs, the GOP can’t win statewide elections without them. The only Republican governor of New York since the 1970s, George Pataki, won all five major suburban counties, and with them, he was elected three times. Pataki didn’t have to win New York City, and neither does Astorino. “The battle is in the upstate and in the suburbs,” he says. His model is similar to the one Pataki used in his successful 1994 challenge to Andrew Cuomo’s father Mario; Astorino says it was encouragement from his mentor Pataki that finally pushed him to run.

“We had breakfast in December,” Astorino tells me. “He said, ‘I don’t know where your head’s at, but I’m here to convince you that you should run and you can win.’”

Astorino has a built-in advantage, too, as the twice-elected executive of Westchester County. After losing to the longtime Democratic incumbent in 2005 by 16 points, he ran again in 2009 and pulled off a stunning upset by a margin of more than 12 points. Astorino was reelected last year, again by 12 points. That’s not a bad base of support from which to begin a suburbs-centric campaign.

“Westchester County is a very influential county, it’s a very large county, it’s a very mixed county. If we can win in a diverse county, with two-to-one Democratic enrollment, then I think we should be learning from that example,” he says.

The goal for Astorino is to improve his name recognition and make the impossible—beating Andrew Cuomo—seem possible. He points out that in 1994 the polls had Mario Cuomo ahead of Pataki to the very end. But Pataki was never 30 points down, either, which shows one of the sharpest differences between the two races. It’s one reason why in July



Chris Christie, the governor next door in New Jersey and chairman of the Republican Governors Association, called the race a “lost cause” for the GOP and said he likely wouldn’t be campaigning for or donating to Astorino if the numbers didn’t tighten.

Astorino responded on a local radio show, saying the New Jersey governor should resign his RGA post; he even suggested there could be a “side deal or a quid pro quo or a handshake” between Christie and Cuomo over Christie’s own “Bridgegate” scandal.

When I ask him a few weeks later about Christie’s “lost cause” remarks, Astorino laughs. “It was a stupid comment to make, and I think he had every opportunity to change his opinion of this race, because two days after, the *New York Times* broke the story on Governor Cuomo’s federal investigation,” he says.

The Christie flap has transformed Astorino’s campaign into something of a proxy for likely GOP presidential candidates. Almost immediately after Christie made the comment, the *New York Post* splashily reported that Louisiana governor Bobby Jindal—Christie’s predecessor at the RGA and a potential 2016 rival—had promised to headline a high-dollar fundraiser for Astorino in New York. So have other possible presidential candidates: Rick Perry of Texas, Scott Walker of Wisconsin, and Mike Pence of Indiana. Perhaps they really do see an opportunity for Astorino to capitalize on a growing scandal for Cuomo and disenchantment with Democratic policies in the suburbs to pull off an upset win in a big state. But it’s also smart presidential politics for would-be contenders to appear early and often in front of New York-based GOP donors.

Even Astorino himself pitches his long-shot candidacy in terms of the next presidential election. “If the Republican party is going to compete nationally, they’ve got to do much better in the suburbs and in the Northeast,” he says. “If we win New York, it changes the entire landscape in 2016.” ♦

# Bartleby, the President

When it comes to dealing with Congress, he would prefer not to. **BY FRED BARNES**

**P**resident Obama insists Republican opposition to his policies has forced him to boycott Congress and resort to governing by executive order. This is only partially true. Yes, Republicans



*Negotiating is so beneath me.*

strongly oppose his initiatives. But refusing to deal with Congress was Obama’s decision, his choice.

After the midterm elections this fall, Obama will have an opportunity to make another choice. There is a lot riding on the strategy he chooses for his last two years in office: his legacy, the fate of policies and programs he’s pushing in his second term, the election prospects for the Democratic presidential nominee in 2016, the likelihood that the country will continue to be as politically and ideologically divided as it has been in his six years as president.

It’s pretty simple why Obama

should choose a new strategy, one in which he engages Congress, especially recalcitrant Republicans. The past two years have not gone well for him, his presidency, or the Democratic party. His popularity, as measured by polls on his job performance, has plummeted and shows no sign of rising. And Democrats face losing control of the Senate in the 2014 elections.

On top of all that, Obama’s new proposals and initiatives have gone nowhere. Immigration reform, gun control, universal pre-K schooling, another economic stimulus—all have failed to rally the country, much less attract support in Congress. His foreign policy of retrenchment has weakened America’s influence around the world. His habit of impugning the motives of Republicans hasn’t gotten him anywhere.

Obama’s go-it-alone approach has sharp limitations. There’s only so much a president can do on his own. And when he has exceeded his presidential authority—as he has done repeatedly in revising the rules for implementing Obamacare and handling illegal immigrants—it has prompted lawsuits and waves of criticism.

Given the incentives to change, why wouldn’t Obama do so after the midterms? He has his reasons. He doesn’t like to change his mind. He loathes compromise. He doesn’t relish rewarding Republicans for their intransigence. And he doesn’t want to commit himself to unpleasant negotiations with GOP leaders. At this point in his second term, Obama is even stiffing Democrats on Capitol Hill. He has become a political hermit in Washington.

Obama might ask: Why don’t Republicans step up and make me

*Fred Barnes is an executive editor at THE WEEKLY STANDARD.*

an offer or two? Why is it up to me to break the ice with seemingly implacable opponents? The reason is that he's president and that is what a president is expected to do—not hide but act. The job of national leadership falls on the president, not the House speaker or any other official of Congress. It falls on the only official elected by all the people.

Besides, Republicans are likely to be comfortable with their circumstances next year. Why should they seek a compromise with Obama when they might have a Republican president to deal with in two years? Activating Republicans is Obama's task, not the other way around. Otherwise, nothing will happen.

Obama has much to gain from instigating talks with Republicans. If they spurn him, he'll look good and they'll look more obdurate than ever. But they have to accept a presidential overture. And whatever comes out of their getting together, even if nothing does, Obama will get credit.

The problem for Obama is that he also has something to lose. He would have to compromise as part of any agreement. He would achieve less than he wants.

There are at least two policy areas that Obama and Republicans could usefully talk about in 2015: tax reform and immigration. True, these don't look like hot prospects for agreement at the moment. But if the president were fully engaged, that would improve the prospects of making headway, perhaps even agreeing on something.

On tax reform, Obama and Republicans already agree on the first step, eliminating tax preferences and loopholes, mostly favoring the business sector. They disagree over what to do with the tax money this would generate. Obama would spend it. Republicans would use it to slash tax rates.

Compromise wouldn't be easy. It might be impossible. A formula for dividing the proceeds between rate cuts and spending could be devised. But it would still be hard to agree on. Republicans would demand a cut in the top rate on individual income.

Having worked hard to increase the top rate, Obama would be disinclined to lower it.

Then there's immigration reform. The Senate-passed bill is dead, whether Obama realizes it or not. To make any progress, he would have to abandon the idea of "comprehensive" reform and accept the Republican step-by-step scheme. And the first step would surely not include a pathway to citizenship for immigrants here illegally. Would Obama and Democrats swallow that? I doubt

it, but talking about it would have a clarifying effect.

Here's why all this is interesting: We'll learn what kind of president Obama has become. Has he become so disenchanted with Washington and politics and members of Congress and the press that he is unwilling to fight for his agenda? And is he unable to act in his own behalf by breaking out of his self-imposed isolation? If the answer to those questions is yes, he's made the wrong choice, one no other president ever made. ♦

# Democracy in Russia

Under Putin, there's less and less of it.

BY ELLEN BORK

At this writing, it seems that the hundreds of trucks sent by Moscow with supplies for the residents of Eastern Ukraine will be delivered without further incident. For over a week, the long convoy wended its way toward the Ukrainian border, carrying with it the prospect for a spike in tensions between Moscow and Kiev. Concerns over the trucks' contents—were they humanitarian supplies, or was the convoy a Trojan Horse, filled with weapons and munitions?—have been resolved. Even so, the drama over the convoy is unlikely to be the last in Moscow's months-long campaign to sow instability in Ukraine.

After all, the Russian president's main objective is to prevent the

consolidation of a modern, democratic state in Ukraine, with economic prospects and political freedoms exceeding those he allows his own people.

For him, hiving off Crimea in March to redeem a revanchist Russian claim wasn't enough. By destabilizing Ukraine, Putin hopes to prevent its newly elected government from providing an attractive model for Russia's citizens.

It wasn't so long ago that Putin faced a similar challenge from within his own country. Just a few

years back, stunning demonstrations in Moscow and other cities prompted predictions that Putin would soon leave power. Despite government control of television and the electoral administration, and obvious signs of fraud, Putin's ruling United Russia party failed to clear the 50 percent mark in the December 2011 Duma



*Ellen Bork is director of democracy and human rights at the Foreign Policy Initiative.*

elections that ignited the protests. Exit polls and independent monitors suggest that the real result might have been considerably lower.

Putin, however, was determined to stay in power. In March 2012 he reclaimed the presidency in elections also tainted by fraud, and set about using vindictive prosecutions and repressive laws to destroy the political opposition and civil society.

This has continued, even while the Kremlin sponsors subversion in Ukraine. In April, with the world's attention focused on Ukraine, the Duma paved the way for the abolition of direct elections for mayors and legislative councils in dozens of cities. Prohibitive requirements for ballot access have effectively sidelined a leading, registered opposition party, the Republican Party of Russia—People's Freedom Party (RPR-PARNAS, by its Russian acronym). Among other things, the party's legal status enabled Alexei Navalny, an anticorruption campaigner who shot to prominence during the protest movement, to make a strong showing in the 2013 Moscow mayoral election. For the upcoming Moscow Duma (city council) election this September, the authorities have used signature requirements to disqualify a number of popular independent candidates. In July, several respected organizations dedicated to human rights and rule of law were formally labeled “foreign agents,” making it difficult if not impossible for them to continue their work.

Even so, Putin has reason to worry. Aside from revealing significant dissatisfaction with him and his clique, the protests unleashed sentiments common to democracy movements everywhere, regardless of culture or history. Protesters described themselves as motivated by a hunger for “decency,” “honesty,” and “conscience.” Tracking Navalny's campaign for mayor, the British writer Peter Pomerantsev observed that campaign workers cared “less about the man himself and more about a desire for personal dignity and clear rules of

the game. ‘I don't want to live in lies’ was a common phrase, as was ‘There must be an alternative to this system.’”

Such values are inimical to the exclusive Russian culture, hostile to individual rights and universal values, that Putin promotes to stoke tensions with the West and distract attention from his misrule. It also puts him at odds with the liberal opposition, says



*Putin's 'humanitarian' convoy . . .*



*. . . and the other kind*

Max Trudolyubov, opinion editor at the business daily *Vedomosti*, who dismisses Putin's cultural determinism as “wrong science.” “Rules and institutions change culture,” he says, not the other way around.

In recent years, Putin hasn't had to worry that the West feels the same way. Writing about the West's policies of “reset” and “partnership” with the Kremlin in the *American Interest* in 2012, Lilia Shevtsova, a Russian political scientist, asked why the West no longer emphasizes liberal principles in its approach to Russia. Perhaps, she ventured, it is because of the disappearance of the Soviet Union as an ideological competitor, a backlash against the Bush era, or even the lure

of “sweet deals.” “I can tell you how it looks from the outside,” Shevtsova wrote. “It looks, first and foremost, like doubt that liberal democracy could appeal to the nondemocratic world, and secondly, like a condescending attitude toward nations supposedly unable to accept liberal democratic principles.”

Leaders of Russia's democratic opposition see the connection between Putin's aggression abroad and his domestic agenda. They reject as “flimsy” the pretext—protecting ethnic Russians—on which the Ukraine aggression is based. “The main reason” for the aggression in Ukraine, said Mikhail Kasyanov and Boris Nemtsov, co-chairmen of PARNAS at the outset of Putin's assault on Ukraine, “is the reluctance of the Russian authorities to recognize the Ukrainian people's sovereign right to its own fate. . . . Putin is trying to stifle freedom not only in Russia, but also in a neighboring country.”

Western governments have yet to appreciate this. Announcing new U.S. sanctions against Russia's banking, energy, and arms industries on July 29, President Obama cast the measures as addressing only the “very specific issue of Ukraine.”

The West should seek more than just an “off-ramp” for Putin in Ukraine. Russia is already committed to free elections and human rights through its membership in the Organization for Security and Cooperation in Europe and the Council of Europe. Restoring these principles to a central role would begin to address the link between Putin's domestic agenda and his foreign adventurism, now on display in Ukraine, later perhaps elsewhere. Neglecting them will allow Putin to exempt Russia from universal values and make the work of Russia's democrats much harder. Until the West takes these principles—and the Russians who want to live under them—seriously, it will treat only the symptoms rather than the cause of Putin's aggression. ♦



# No Law, No Order

*Making a federal case out of Ferguson*

BY CHRISTOPHER CALDWELL

*Ferguson, Mo.*

‘I JUST SAW SOMEONE DIE OMFG,” wrote Emanuel Freeman, a teenage rap aficionado who lives in the Canfield Green housing project in Ferguson, Missouri. It was about noon on Saturday, August 9, when Michael Brown, a hulking 18-year-old recently graduated from a failing high school and 10 minutes removed from committing a strong-arm robbery, was shot dead by Ferguson policeman Darren Wilson in the street outside Freeman’s window. Freeman appears not to have seen the fusillade that killed Brown, and no uncontested account of it has emerged. But we can see from the tweets Freeman posted in the following minutes that people drew their own conclusions almost immediately: “Im about to hyper-ventilate,” Freeman wrote. “F—k f—kf—k. . . Its blood all over the street, niggas protesting nsh—t. There is police tape all over my building. I am stuck in here omg. . . I am not a gangsta man lmaooo.”

Many of Freeman’s neighbors suspected Brown was the victim of a racist cop. They have found company. Brown’s family has hired Benjamin Crump, a firebrand lawyer who represented the family of Trayvon Martin, the Florida teen killed in a confrontation with a neighborhood watchman in 2012. Attorney General Eric Holder has traveled to the scene to comfort Brown’s family and launched a civil rights investigation. Jesse Jackson has called the killing of Brown a “state execution.” Missouri’s Democratic governor has said his state is “reeling from what feels like an old wound that has been torn open fresh.” And yet, two weeks into a series of nightly protest marches in Ferguson, the facts in this case remain almost wholly opaque. By moving so aggressively to take a stand, the White House risks exposing itself to disapproval, the people of Ferguson to disappointment, and the rest of the country to disorder.

*Christopher Caldwell is a senior editor at THE WEEKLY STANDARD.*

Missouri has a checkered racial history. It fought the Civil War as France did World War II: valiantly, for both sides. St. Louis has been a watchword for dismal urban renewal projects—the vast Pruitt-Igoe blocks downtown, completed in 1956 and dynamited starting in 1972, were the biggest failure in the history of U.S. low-income housing. Yet Ferguson has until quite recently been one of the more racially integrated places in the state and perhaps the country. Ferguson was three-quarters white in 1990. It is now two-thirds black. Parts of the city seemed to have managed the transition well. In the heart of “old” Ferguson, near Florissant Road, black- and white-owned houses alternate on the same block. Whether the people of Ferguson were tolerant enough to embrace postracial America or too poor

to flee it, the city has been for most of the past half-century a prosperous and pleasant middle-class place for people of all races. The Wabash Cannonball of song used to stop in Ferguson, and the broad-lawned summer retreats built for Wabash executives on hilly Elizabeth Street still stand. The \$25-billion multinational Emerson Electric keeps its headquarters here.

But it may be that the Ferguson we see now is just a snapshot mid-

way through a process of decline. The eastern part of the city, the part where Michael Brown got killed and where the looting and burning and marching have been taking place, looks different. There, along a road that is confusingly called West Florissant, are a half-dozen St. Louis County townships, including one six-block finger of Ferguson. The Canfield Green project, where Brown had moved in with his grandmother, was mostly white at the turn of the century but today is overwhelmingly black. The larger West Florissant strip is depressing. It includes nail shops, multiple payday loan outlets, and the Springwood Plaza, which contains a dialysis service but is otherwise almost wholly abandoned. There is an excellent barbecue joint—Red’s—where the 300-pound Brown was a regular. It survived the protests and looting, barely.

Small-town police departments maintain a special, sinister role in civil rights mythology, and a Justice Department



*A protester kicks a tear gas canister back at police near Ferguson on August 17.*

source told the *New York Times* that the administration does not trust the one in Ferguson. The police force, it is true, has not changed as quickly as its citizenry. Fifty of its 53 officers are white. Of course, that is not prima-facie evidence of racism. The chief, Thomas Jackson, has for the most part been complaisant, even as MSNBC has sought to cast him as some kind of postmodern Bull Connor. He has offered diversity training. He has told the press, correctly, that competition among police departments is stiff for qualified police officers of all races and told the Justice Department (this according to the *New York Times*): “Tell me what to do and I’ll do it.” He has been criticized for being slow to release Officer Wilson’s name (citing his safety). He has been criticized by Attorney General Holder for releasing a store security videotape showing Mike Brown involved in a violent shoplifting incident minutes before he was shot (the people of Canfield Green knew about this incident within minutes of Brown’s death). Crucially—and this is the single grievance most often raised by protesters, even if it is seldom mentioned in the press accounts—his police force is accused of disrespecting Brown’s body by leaving it in the street for hours after he was shot. Police have claimed that gunfire in the vicinity made it unsafe to move it. Freeman’s account of the incident seems to bear this out.

It is hard to understand anything about the politics of St. Louis County—and about Ferguson’s police force—without understanding the “Great Divorce.” In an 1876 vote, the people of St. Louis made the shortsighted decision to slough off their rural precincts. The county now has 90 municipalities, some of them with as few as a couple hundred people, and a real small-town mentality. Describing the killing of Brown, former Ferguson mayor Brian Fletcher said, “Another block over and it would have been in Jennings.” This is the equivalent of saying that if that incident of drunkenness last night had taken place 20 yards west, it would have been my neighbor who was hitting the sauce, not me. All of these towns have their own rinky-dink police forces. Ferguson’s was overmatched by the crowds of demonstrators until reinforced from neighboring jurisdictions and ultimately replaced by the Missouri highway patrol at the order of Democratic governor Jay Nixon. The purpose of that rather arbitrary action was to install Ron Johnson—not a particularly high-ranking highway patrolman, but a Ferguson native and a black man—as the public face of the forces of order.

**B**ut there were other reasons for the change. The nightly crowd has been big. It can run into the thousands. Some individuals in it are armed. The demonstrators’ chant was “Hands up, don’t shoot!” after a common local account of Michael Brown’s last words, but

30 shots were fired by the mobs on August 17, and three handguns were confiscated two nights later. This is also a crowd that can get thrown into a passion by the craziest and least plausible rumor. Talking on the street with a half dozen neighborhood kids, the atmosphere is not one that favors the Socratic method. On Wednesday, in the parking lot of Andy Wurm Tire and Wheel on South Florissant Road, a woman was complaining to me about the media treatment of the surveillance video that showed Brown shoplifting. “They got a whole ‘nother tape,” she said, “that shows him paying for those cigars. Yeah! But they won’t show that. It’s crazy. You wonder why nobody wants to believe the media, why the media are getting cussed out, look what you’re putting out. Tell the truth—that’s what your job is.” On more than one occasion, I was told that authorities were releasing criminals from prison to wreak havoc in the demonstrations.

Perhaps the most common media complaint about the Ferguson police—that they were overly “militarized” and even “off the rails”—was wrong. This complaint was, in the end, sartorial. “Tell them to remove the damn tanks,” said Holder in the early days of the unrest, but he seemed to have no objection to the rows of armored vehicles that the National Guard was keeping in the Northland Shopping Center when he visited. Columnist Thomas Byrne Edsall described the complaint about militarization as a moment of “rare right-left convergence.” It is better thought of as a moment of p.c. terror, as conservatives sought to find some grounds for lining up against the police without violating their principles.

It was in this context that Holder made his bizarre visit to St. Louis. Bizarre in the sense that he intervened, in the name of the federal Justice Department, in a case already before a grand jury, without making even a feint at blind justice. The *Los Angeles Times* reported that Justice Department officials attributed Holder’s concern to “the continuing violence and apparent mishandling of the case by local officials.” Without making any judgment about whether the local officials mishandled the case, it is worth noting that the federal intervention has taken the side of those committing the continuing violence.

Other reports indicate that the administration has sent to Ferguson dozens of FBI agents who have already conducted hundreds of interviews, along with personnel from the civil rights division of the Department of Justice and the Office of Community Oriented Policing Services (COPS). On Florissant Road I met a man in a tie who claimed to be a St. Louis-based employee of the Justice Department. Holder said after the visit that “few things have affected me as greatly” as the trip to Ferguson, and he had a special message about Brown’s family. “I spoke to them not just as attorney general but as a father,” he said. He called for

a third autopsy of Brown, following an official one (which found marijuana in his system) and one ordered by Brown's parents (which found he had been shot six times, with all bullets entering through the front). As Holder puts it, "History simmers beneath the surface in more communities than just Ferguson."

It is difficult not to see a political strategy in the combination of Holder's activism and, until recently, President Obama's distance. A tricky electoral landscape awaits the Democratic party this fall. Avoiding losses will require a black vote running at maximum level, as it seldom does in midterm elections. The evenings of unrest are not riots, even if they have violent elements in them. They are protests. The protesters have a number of highly specific demands—and those who back them will be watching carefully to see if the administration helps the protesters realize them. First, they want Darren Wilson arrested. "Arrest Wilson and we can all go home!" people yell after night falls. Whatever the facts of the case—facts no one can yet make any pretense to know—this is a demand for "mob justice," to use the mildest applicable expression.

Second, they want elected St. Louis County prosecutor Robert McCulloch, a Democrat, removed from the case. Activist groups trying to move the protests to the county seat in Clayton are doing so largely for this purpose. This is an interesting demand because it reflects a larger national dynamic. McCulloch is popular—he has been elected seven times since 1991. He is accused by detractors of favoring police, largely on biographical grounds. Many in his family are police officers. When he was 12, in 1964, his father was shot in the head and killed in Pruitt-Igoe by a kidnapper, who was black. This, too, is the history simmering beneath the surface that Holder spoke of. State senator Jamilah Nasheed has warned McCulloch, "If you should decide to not indict this police officer, the rioting we witnessed this past week will seem like a picnic."

The dynamic is a political nightmare for Governor Nixon. Ordinarily a prosecutor can be removed only for a conflict of interest, but Nixon, having declared a state of emergency, might be authorized to appoint a special prosecutor. McCulloch believes he is, but seems confident that Nixon wouldn't dare. At any rate, McCulloch has been taunting the governor on the radio. "Stand up, man up," he said in mid-August. Nixon's trepidation is striking. It is a sign that Missourians are looking at this episode differently than they have other racial explosions over the years. They are right to. Although there have been protests, riots, demonstrations, and uprisings throughout the half-century since Civil Rights legislation was passed, there has been one constant. The government has always been at the side of those seeking to restore public order. Now Obama and Holder have

placed the government on the side of the uprising—or, to put it more neutrally, on the side of those who would restore order on the terms demanded by the uprising.

That changes the calculation of moderate and conservative voters. When people are assured the authorities will act to protect them from unrest, they can be extraordinarily generous. If they lose that assurance, they may respond differently. A recent Pew poll asks simply whether the unrest in Ferguson "raises important issues about race." Eighty percent of blacks say it does, but only 37 percent of whites. That is extraordinary. To say something "raises important issues" is mush. Almost anything involving race "raises important issues." To deny, as 63 percent of whites did, that a slaying that causes weeks of demonstrations tells us anything is evidence of truculence. The administration is pursuing a reckless strategy, hoping that it can present the barn-burning Holder as its face to the black community and the conciliatory Obama as its face to the white community, exploiting the very divisions it promises to heal.

About the only thing agreed on by the people of Missouri, the forces of order and the forces of revolution alike, is that motley outsiders have brought much of this unrest to St. Louis. There are the social-media journalists who seem to have formed their understanding of politics from after-school specials about Gandhi, the guy from *Huffington Post* who mistook earplugs for rubber bullets, the veterans of various Occupy movements who have come to teach protesters how to treat tear gas burns with a solution of half-Maalox and half-water, the Communists from Chicago trying to incite riots. There is even the Ku Klux Klan, according to one rumor circulating among the people protesting across from the Ferguson police station. And there are, of course, "race hustlers," from Al Sharpton to Jesse Jackson, who exploit tragedy to build their constituencies.

But really, the situation in Ferguson is more tragic than that. Anyone who wishes the mostly decent, hardworking, neighborly people of Ferguson well has an incentive to tell himself that only some malevolent outside force could account for this failure of the good-hearted system we have thrown all the country's energies into building for half a century. Some in St. Louis are beginning to doubt. "The 'look at us, we are on our way back' slogans boasted by chambers of commerce say nothing about those who have been treated as invisible or dispensable," wrote the black weekly, *St. Louis American*, in an article about Normandy High School. It is a facility you pass when you head to Ferguson from downtown St. Louis, turning from Martin Luther King Boulevard onto Lucas-Hunt Road. It has been lavishly funded over the years, and it looks like a grand hotel. It has everything—everything, that is, but its accreditation, which it lost shortly before sending Michael Brown out into a grown-up life that would last 80 days. ♦



# Scotland the Brave

*Scots debate independence*

BY SARA LODGE

If at first you don't secede, try, try again. This might be the motto of Alex Salmond's Scottish National party, which since 1934 has been advocating the proposition that Scotland should be an independent country, governed not from London but from Edinburgh and able to make its own policy decisions about defense, immigration, taxation, and spending. On September 18, Scots will finally face a referendum about their future. Do they wish to continue to be part of the United Kingdom or to go it alone under their own flag—the blue and white saltire—into a new Caledonian era? The timing of the vote is itself highly political. This year is the 700th anniversary of Bannockburn (1314), a battle at which the Scots famously won a victory over the English. It serves as a reminder of history, and that throughout the period when Scotland and England have had a united government—1707 to the present—there have been those who felt nostalgic for Scotland's previous 800 years of sovereignty and viewed the union as a shotgun marriage, an uneasy and unequal yoking of nations whose interests and whose cultural and political values are not identical. Now Alex Salmond wants a divorce.

It is not clear whether he will get one. All surveys to date have suggested that the majority of Scottish residents intend to vote against independence; but the numbers are sufficiently close to create uncertainty. In a recent opinion poll, 51 percent of those questioned said they would vote No, 38 percent said they would

vote Yes, and 11 percent remained undecided. The fence on which this last group sits is heavily patrolled, and as the referendum approaches, the rhetoric on both sides is becoming louder and more defiant. I will be voting myself in September, and since I have not yet made up my own mind, now seems a good moment to weigh the arguments on both sides.

The major political parties in Westminster have backed a "Better Together" campaign, calling for Scotland to retain membership in a United Kingdom that is greater than the sum of its parts. Their chief arguments are economic and pragmatic. They

invoke the realpolitik of Britain's position and influence as a global power. They cite statistics showing that Scots gain under the present U.K. formula for allocation of public expenditure, with spending of \$20,440 per person, distinctly above the U.K. average of \$18,288. Scotland's relatively remote Highland regions, which require public services but have a low population paying taxes, might justify such

higher expenditures, but pro-unionists warn that an independent Scotland, severed from the financial power of London, would have to dig deep into its sporran to obtain the revenue to cover such largesse.

Scotland's population is an aging one—more so than that of southern regions that are more attractive to new immigrants—and proportionally more Scots are in public sector jobs than their English counterparts. How, ask the anti-independence forces, would a country disproportionately dependent for its income on North Sea oil manage as those oilfields decline and eventually cease production over the next 30 to 40 years? They point also to the high costs of setting up separate, new administrative structures and warn that England would refuse to maintain a currency union with its neighbor. Do Scots really want to lose the pound sterling, the Bank of England as lender of last resort, and the U.K. Treasury to draw on should their



*Alistair Darling, center, with fellow 'Better Together' backers*

*Sara Lodge, a senior lecturer in English at the University of St Andrews, is the author of Thomas Hood and Nineteenth-Century Poetry: Work, Play, and Politics.*

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big banks fail, as happened to the Royal Bank of Scotland and the Halifax Bank of Scotland in the 2008 financial crash? Ireland, once cited as an example of Celtic Tiger economic growth, suffered so harshly in the wake of the banking crisis—when the European Commission pressed it to guarantee liability for all the bonds it had issued, an obligation it could not afford—that the country had to be bailed out by the International Monetary Fund.

Moreover, unionists grimly prognosticate, Scotland would lose its membership in the European Union, NATO, and the United Nations. According to José Manuel Barroso, the Spanish president of the European Commission (who doubtless has an eye on Catalonia, as it flirts with secession from Spain), Scotland would have to apply for EU membership from scratch: a position that, given Scotland's share of national debt after the global financial crisis (a probable budget deficit of around 5 percent), would mean stringent terms and a variety of undesirable deals on trade, agriculture, and member contribution. Such problems could lead investors swiftly to withdraw funds or at least relocate their head offices over the border and could mean monetary mayhem if Scots shut the door on England.

Scotland, after the initially satisfying slam, might well find itself out in the cold, knocking pathetically, wanting back in. The risks and endless wrangles that would be necessary—over how much of the U.K.'s national debt Scotland should assume; how much of the oil revenues are Scotland's; how the border should be controlled; and which currency Scotland would adopt—all of these, from the "Better Together" perspective, are avoidable disasters for a United Kingdom with a strong, respected global "brand" and an economy now pulling out of recession.

**T**he "Yes" campaigners who back Scottish independence fiercely dispute these projections. They observe that Scotland is a relatively wealthy country: In terms of GDP per person for its small population of 5.3 million, it is the 14th-wealthiest country in the world. It would thus be embarking on independence in more promising circumstances than many nations: When Norway became independent in 1905 it was one of the poorest countries in Europe; Ireland, when it gained independence in 1922, was dogged by poverty and civil

unrest. Scotland boasts oil and gas resources that Ireland lacks; it lands more fish than Sweden and Finland combined; has more wind-power resources than Denmark and more wave-power potential than Portugal. Other important industries include drinks, manufacturing, financial services, and tourism. If oil and gas revenues are included, Scotland generates \$43,946 per person in GDP, as against the U.K. average of \$37,148. Secessionists thus argue that, rather than being a benign benefactor in public spending, it is the U.K. that has profited from Scotland, often without reinvesting in Scottish infrastructure. Salmond promises that an independent Scotland will invest in expanding its own economy, as Westminster has failed to do, and prosperity will result. He forecasts, in a recent white paper, that Scots will be \$1,500 better

off per person, per annum, after independence. Alistair Darling, of the "Better Together" campaign, has counterargued that they will be \$2,345 a year better off if they vote to stay in Britain.

"Yes" campaigners also argue that the current system of voting for a Westminster government doesn't reflect Scottish voters' wishes, noting that in 31 out of the last 55 years, the majority of voters in Scotland did not opt

for the party that came to power. It is certainly true that Scotland's political landscape is very different from England's, reflecting its different history and priorities. Scotland already has its own legal system, its own education system, and its own banknotes. Since 1999, Scotland has additionally, as it did before 1707, had its own parliament, albeit with limited powers: Matters such as defense, immigration, and core fiscal policy are reserved to Westminster.

An independent Scotland, needing an influx of youthful labor to its economy, might well wish to attract immigration more than its southern neighbor; it might adopt a lower corporate tax rate to attract new business; it would almost certainly adopt a different social agenda in state spending. Secessionists look to the successful Scandinavian states as models of what they would like Scotland to become. Scots currently punch above their weight, except in the matter of weight: They are among the least fit, most lettuce-averse and gym-defying individuals in Europe, and rates of heart disease and premature mortality remain high, especially in overcrowded urban areas. Many Scots became trapped in poor tenancy arrangements dating from feudal rules of aristocratic landholding that



*A secessionist at an independence rally*

persisted until very recently. Greater ability to build in and inhabit the stunning scenery that surrounds them—a habit of summer cabins, of boating and fishing—might, some argue, make Scots more like their lither Scandinavian counterparts.

For secessionist Scots, of course, there is also an emotional pull to the ideal of independent nationhood. Robert Burns, the national poet, lamented that Scotland had been “bought and sold for English gold.” The film *Braveheart* (1995), while starring an American-born Australian (Mel Gibson) in a highly fanciful portrayal of William Wallace, the 13th-century warrior who led the Scots in battle against the English, inspired a new generation of Scots to identify with its tartan-clad heroics. Scotland does not have a Declaration of Independence but it does have the Declaration of Arbroath (1320), which affirms, “[F]or, as long as but a hundred of us remain alive, never will we on any conditions be brought under English rule. It is in truth not for glory, nor riches, nor honors that we are fighting, but for freedom—for that alone, which no honest man gives up but with life itself.” Youths of 16, who are permitted to vote in the referendum, may be attracted by that ancient oath: They certainly don’t get to vote at their age in England. Nationhood is, after all, about values as much as physical geography—about where your heart belongs. And if Scots truly feel that their political and cultural liberty and pursuit of happiness are jeopardized except within a separate state, then no economic argument can, or should, deter them.

There are, however, ironies on both sides of the independence debate. Scots may find that if they do win independence they are less able financially to prosecute their political and social ideals than before. Regional rules currently allow Scotland to exclude English students—though not students from other EU member states in the Erasmus network—from the government subsidy that grants Scottish students free university tuition. If England becomes a separate EU member, EU legislation will likely compel Scotland to offer the subsidy to English students too. This would be hugely expensive. The “No” campaign also has some internal contradictions. Recent local and EU election results showed a marked swing towards the U.K. Independence party (UKIP), whose (many would say xenophobic) policy platform is based on Britain’s withdrawal

from the European Union. Britain seems to be poised to argue for “Better Together” in the U.K. at precisely the same moment when it is arguing “Better Apart” from Europe.

The Scottish example reflects a wider phenomenon, and regions like Catalonia will be watching the result with interest. The more globalized the world economy becomes, the more local its politics. Existing democratic structures are perceived to be failing; people feel disempowered. They fear that whatever move one makes with the political

chess pieces, the board is so dominated by the tilt and spin of global markets, larger power structures, and forces beyond democratic control that no real change is possible. Getting out—of the United Kingdom or the European Union—might not actually achieve the goal of greater control from those external forces, but it feels like the only way to assert the right to reimagine society.

For many months, the “No” campaign was low key, hoping that “common sense would prevail” and that such dramatic change, especially in the wake of an economic recession, would fail to appeal to Scots, who have a reputation for being canny: prudent, cautious, and penny-pinching. That instinct may yet

be proved right. But the fear-mongering tactics and doom-laden prognoses of English pro-union campaigners have been unpopular in Scotland and may have created more resistance than support. As one comedienne pointed out, if your wife, disaffected with a long marriage, is giving handsome Denmark the eye, the best way of persuading her to stay is probably not to say: “If you leave you’ll be poor. And you can’t access the clubs where we had joint membership. So don’t be stupid: Give me back the key and let me drive.”

I am still mulling over my own vote. Scots will think carefully before seeking a divorce from Britain, but the balance of power between Westminster and Holyrood has already shifted. The BBC is moving north: It now has operational bases in Salford and Glasgow. And a changing climate means that this year winemakers will harvest their first grapes in Fife. It may be only a matter of time before we are pouring champagne from a tartan bottle. But whether the label will say “Made in Britain” or “*Makkii i’ Caledonia*,” only the residents of Scotland can decide. ♦

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# Nobody's Fault

*Liberals make excuses for Obama*

BY NOEMIE EMERY

All of a sudden, people have noticed that we are in trouble, and many are saying it isn't the president's fault. All the bad news, from Iraq to Ukraine, from Libya and Syria to the Mexican border, just seems to have happened: Obama was standing there, golfing or shaking hands with donors, and, like a burst of bad weather, the winds blew, the skies opened, and things went to hell. Mysterious forces conspired against him, terrible setbacks occurred for no reason, and we were left with effects without a cause. His supporters commiserate with him and note his bad fortune at being in office at a time when events make his life difficult. Or they worry about the effect of all these misfortunes on his legacy. "Can Obama Weather the Current Geopolitical S—storm?" *Mother Jones's* David Corn wondered recently. Judging from recent poll numbers—36 percent approve of his conduct of foreign relations—the answer appears to be "no."

The reasons offered for why bad things aren't his doing fall into three different categories: (1) The system is broken, the country is polarized, and the Republicans have become too insane to deal with; (2) stuff happens, and no one at all can do much about it; and (3) people think that the president ought to be Superman and solve all their problems, which is really expecting too much. As Joshua Keating wrote on July 21 in *Slate*: "There's a tendency to judge U.S. foreign policy on the condition of the world at any given moment rather than the success of actual actions taken," as if the condition and the actions can have no conceivable link. "U.S. leverage is limited," wrote Robert Kuttner in the *Huffington Post* a day earlier. "U.S. projections of . . . bravado or

prudence have little to do with" how recent events have come out. Added to this is the fact that we lack the easy simplicities of the good old days when Hitler and Stalin were murdering millions. "Republican jingoists scapegoat President Obama for all the world's ills and try to impose a simple story of weakness and strength on events of stupefying complexity," Kuttner added, complaining that today's wars lack the grandeur and moral simplicity of the Cold War, and of course World War II. "Who are the good guys and bad

guys in Syria and Iraq?" Corn concurred: "Barack Obama is in charge . . . at a time when the world seems to be cracking up more than usual. . . . There are no simple fixes to these nuance-drenched problems. . . . None of these matters are easily resolved."

"Obama isn't stalled out because he can't lead," writes Norman Ornstein in the *Atlantic*. No, the Democrats' woes stem from the fact that the Republican party today is a fanatical opposition, bent for no very good reasons on bringing the president down. On a less partisan note, Chris Cillizza in the *Washington Post* looks back on our last three two-term presidents, and sees three men who campaigned as uniters turned into dividers by circumstance, or for reasons beyond their control. "Being president is the

most powerful job in the world, at which you will most certainly fail," he warns office-seekers, citing the arcs carved by both Obama and Bush 43: high marks at the start, a long slow deflation, and then a collapse in year six. What was the cause? "The decline of the bully pulpit as a persuasion mechanism . . . the deep partisanship . . . not only in Congress, but also in the electorate . . . the splintering of the mainstream media . . . the need to be ever-present . . . the difficulty of trying to drive home your preferred message of the day."

Next on the list is the "Green Lantern Syndrome," or the tendency to see presidents as mythical comic-book heroes, able to fly, see around and through anything, and pick up tall buildings. Thus in the *Nation* Eric Alterman foams at the mouth as he lambastes Maureen Dowd for



*Dang. Those Republicans made me miff it again.*

Noemie Emery, a WEEKLY STANDARD contributing editor, is author most recently of *Great Expectations: The Troubled Lives of Political Families*.

indulging the “now platitudinous Beltway belief that Obama should just fix everything, already” instead of standing by, fundraising and hanging around with movie and rock stars, as the country and world go to hell. In Republican years, the fish rots from the head, but with Obama it’s merely preposterously high expectations.

And how do these theories stand up to inspection? Not all that well. As to the idea that stuff simply happens, sometimes it does, sometimes it does not. At the end of World War II, for example, nothing on earth could have dislodged the Soviet Army from Eastern Europe once it was there, but the fact that Western Europe stayed out of the Communist orbit was entirely owing to men. It was the Truman Doctrine, the Marshall Plan, and the formation of NATO that stopped the Communist advance in the middle of Europe, done by the will of Harry S. Truman with the ardent support of his next two successors, who held the line until the screws were tightened many years later by Ronald Reagan, and the Soviet empire collapsed from within.

Those years too were filled with “nuance-drenched problems,” and Truman, along with Dwight D. Eisenhower, Reagan, and John F. Kennedy, had to walk a very fine line between being weak enough to invite Russian aggression and aggressive enough to risk nuclear war. Replace Harry S. Truman with Henry A. Wallace (and make the three others a little less resolute) and the Cold War would have ended a whole lot less happily. Replace Barack Obama with John McCain, Mitt Romney, or Hillary Clinton, and Iraq would be now pretty much as it was when George W. Bush left it, with no jihadist state formed in the heart of the desert, ready and willing to bring the war home. When one thing goes wrong, it may be an accident, but when five do at once—Iraq, Syria, Libya, Ukraine, and our border—the man at the helm may have something to do with it, and a foreign policy based largely on John Lennon lyrics may be the proximate cause.

As for partisanship, it’s true that Bill Clinton, George W. Bush, and Obama ran as uniters and ended by further dividing the country, but this outcome was not foreordained. Clinton ran as a moderate, a “new kind of Democrat,” but at the start of his tenure behaved very much like an old one, picking his cabinet by bean-counting diversity standards, and allowing his wife to draft a huge, complex health care reform bill that was vastly unpopular. Knocked on his heels in the 1994 midterms, he triangulated his way back to the center, signed welfare reform, and seemed on his way to brokering a historic and bipartisan deal on reforming entitlements when he was impeached on perjury charges related to his affair with a college-age intern, which put the culture wars back

on the boil and ended his term on a less pleasant note. Bush entered under a cloud, as the very close recount was always going to leave the losing side feeling cheated, and made a catastrophic mistake after September 11, when he did not convene a war cabinet with Democrats in it, which would have tied both parties into the war effort, given the Democrats a greater stake in its success (and part of the blame for any mistakes), and would have expanded the pool of people from whom he was taking advice. With this, the course of the war might have gone very differently, Bush might have changed course in 2004, and not 2006, when public opinion was turning against him, and the Democrats might not have been able to weasel so easily out of their prior support for the war.

But Clinton and Bush were models of outreach compared with Obama, who burst on the national scene in July 2004 with a magnificent paean to red-and-blue unity, but by August 2009, acting as president, was tearing the country apart. Using the fiscal crisis as the pretext he needed to enact a progressive agenda, he passed extensive big-spending bills with no consensus behind them. But it was his passage of health care reform in the face of fierce opposition, expressed in surprise GOP wins in two big statewide elections, that brought him the resistance he deserved, especially when he used a technical loophole to ram Obamacare through Congress after Scott Brown’s capture of the “Ted Kennedy seat” in ultra-blue Massachusetts made it impossible to pass it in the legitimate, normal, and time-honored way.

“Liberals really do not understand emotionally the extent to which the Tea Party was created by the Affordable Care Act and the feeling that its government was simply steamrolling it,” as Megan McArdle tells us, correctly—a fact that eludes Obama’s apologists in the media, who seem to regard Tea Party resistance as an inexplicable phenomenon with which Obama’s own actions had nothing to do. And as for the Green Lantern part, they might have a better case if Obama hadn’t campaigned *as* the Green Lantern, a creature possessed of magical powers who could not only lift us all up into new ways of being but cause the rise of the oceans to halt.

Obama’s campaign rallies were revival meetings at which people fainted. Allusions were made to biblical figures, Moses and Jesus being just two of them, and his acceptance speech at his nominating convention in Denver featured a grandiose stage with Greek columns, suggesting parallels to Zeus. He was no commonplace politician but an exceptional figure and man. “Many of the president’s supporters thought they were voting for the Green Lantern in 2008,” observed Sean Trende, reel-ing off a long list of speeches in which Obama had promised “A nation healed. A world repaired. An America

that believes again.” As Trende put it, “The notion that Obama could provide unique leadership, rise above the old political rules, end the partisan bickering . . . and transform the country was the central theme of his presidential campaign.”

But when the transformative figure fails to deliver even commonplace competence, the letdown is even more terrible. Which leads to the last of all the excuses: The job is now simply too big.

When Republicans fail, it's always their fault, but when things fall apart under Democrats, larger forces are always at work. In the first volume of his work, Reagan biographer Steven F. Hayward took a stroll with us down memory lane to the last time this happened, under one James Earl Carter: “The job of President is too difficult for any single person because of the complexity of the problems and the size of government,” pronounced the historian Barbara Tuchman. “As the country goes to the polls in the 47th national election, the Presidency as an institution is in serious trouble,” wrote the columnist Joseph Kraft. Political scientist Theodore Lowi said the presidency had become too big for even the likes of a Franklin D. Roosevelt. “Perhaps the burdens have become so great that, over time, no President will be judged adequate,” said

*U.S. News and World Report*. And *Newsweek* added, “The Presidency has in some measure defeated the last five men who have held it—and has persuaded some of the people who served them that it is in danger of becoming a game nobody can win.”

There was much more of that, but as Hayward points out, this line of thought stopped being talked about halfway through Reagan's first term. “There's a . . . reason for that,” he noted. “The elite complaints . . . always abstract from the substantive views and actions of the occupant. The possibility that ‘maybe we have a crappy president’” refuses to enter their minds.

Especially it refuses to enter their minds when the president in question is not only the spokesman for their favorite political outlook, but the embodiment of all of their dreams. If liberals felt compelled to protect a peanut farmer from Georgia, what must they feel for an Ivy League-trained exotic from Hyde Park, a man of the world and messiah, a speaker and writer, but never a doer; themselves, in short, to the ultimate power; themselves as they dreamed they could be? And that is the problem: If he fails, then they fail, and that cannot happen. So the fault is in the stars, in the cards, in unfair expectations—anywhere but where it should be. ♦

## If Labor Law Ain't Broke, Don't “Fix” It

**By Thomas J. Donohue**

President and CEO  
U.S. Chamber of Commerce

Leave it to the National Labor Relations Board (NLRB) to “fix” what's not broken. There are clear indicators that the NLRB intends to overturn its long-standing “joint employer” standard—a move that could redefine what it means to be an employer and unleash a flood of complications for America's job creators.

Under the current standard, a worker is usually employed by the company who hired him or her. For example, a food service employee who works at a franchise location works for the franchise owner—not the brand name itself. A contract worker who performs cleaning services at an office building works for the janitorial company under contract—not the building owner.

In some cases, two parties working together are considered “joint employers” if they both have direct control over the employees. A factory owner and a vendor that provides workers might be considered

joint employers if the owner disciplines workers and sets the schedule but the vendor signs the paychecks.

This clear-cut standard has been working well for 30 years. It's given businesses increased flexibility and competitiveness, while creating employment opportunities for millions of Americans.

But two major cases before the NLRB suggest the agency could overturn the standard. In one, the NLRB could hold McDonald's USA liable for the employment decisions of individually owned and operated restaurants—a case that could redefine the relationship between franchisors and franchisees. And in the case *Browning Ferris*, the NLRB could rule to significantly loosen the standard for joint employer status between contractors and subcontractors.

This potential change under the National Labor Relations Act would allow unions to characterize large, well-known businesses as the “employer” of targeted groups of workers who are employed by smaller companies. This would enable and encourage

labor groups to launch very public organizing campaigns in hopes that the larger employer would bend to public pressure and recognize the union. Larger companies could also be forced to engage in collective bargaining if the smaller “joint employer” is organized.

Upending the joint employer standard could also set an alarming precedent under other employment laws. For example, a company could be held liable for violations committed by its subcontractor, vendor, or franchisee. This could bring major paydays for plaintiffs' lawyers. Given that damages can be tied to the number of employees a company has, it could be much more profitable to sue a major corporation than a small business.

Changing this long-standing, well-working standard would not be for the benefit of job creators, workers, or our economy—it would be for advancement of big labor's agenda and the enrichment of the plaintiffs' bar.



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# Giant Tennis Shoes

*The overestimation of the John Birch Society.* BY STEVEN F. HAYWARD

Populism, that ever-lurking and always problematic phenomenon in American politics, is especially galling to liberals when it breaks from the right, as it has done during the last few years in the form of the Tea Party. Conservative populism disorients and frightens liberals (almost as much as the Republican establishment does), such that liberals find it necessary to make out conservative populism to be

*Steven F. Hayward is the Ronald Reagan distinguished visiting professor at Pepperdine University's Graduate School of Public Policy.*

**The World of the John Birch Society**  
*Conspiracy, Conservatism, and the Cold War*  
by D.J. Mulloy  
Vanderbilt, 296 pp., \$35

“extremist” and to magnify its potential threat to democracy.

Fifty years ago, the liberal bugbear was the John Birch Society, which D.J. Mulloy, who teaches history at Wilfrid Laurier University in Canada, thinks is the trailblazer and blueprint for today’s Tea Party. His book doesn’t

really bear the weight of this argument, which was probably added for the purpose of lending it some kind of contemporary relevance. Despite some superficial parallels (*Eisenhower is a Communist! Obama is a Muslim! Impeach Earl Warren! Impeach Obama!*), the differences are more important, starting with the fact that today’s diffuse Tea Party is largely a spontaneous populist movement without clear leaders, while the John Birch Society was a focused and more hierarchical organization that owed its origin and staying power to the peculiar genius and drive of its founder, Robert Welch.

DENVER POST / GETTY IMAGES

The John Birch Society is a worthy topic on its own, and while the society has made appearances in many histories of the 1960s and the Cold War era, Mulloy's is the first in-depth scholarly history concentrating on the Birch Society by itself.

The John Birch Society could be said to have formed out of the ashes of Joseph McCarthy's self-immolation, when Robert Welch, a person of considerable talent and brilliance who enjoyed a successful business career in candymaking (we owe Sugar Daddies and Junior Mints to his company), seized upon the story of John Birch, an American soldier who was killed in August 1945 by Chinese Communists—making him, supposedly, the first American casualty of the Cold War.

In 1958, Welch, a Republican who had unsuccessfully sought office in Massachusetts earlier in the decade, recruited a small circle of his business associates to found the John Birch Society. Some of Welch's business contacts were men of prominence and consequence, such as Fred Koch, patriarch of today's Koch brothers, and William Grede, former president of the National Association of Manufacturers. The "national council" of Welch's new group was no assembly of fringe yahoos.

Nonetheless, the early Birch Society did combine two traits that marked it out for the fringe: its bent for the kind of sweeping conspiracy theorizing that explained *everything*, and what today we might call "viral marketing." Welch's central idea was that it was "not possible to lose so much ground, so rapidly, to an enemy so inferior, by chance or stupidity." There had to have been collaboration from inside our own government, a deliberate slow-motion surrender—nay, "treason" itself.

The earliest version of Welch's schemata was a longish "letter"—eventually growing to 60,000 words in later iterations—informally titled "The Politician." Privately but widely circulated by Welch, it contained the extraordinary charge that President Dwight D. Eisenhower was a "dedicated, conscious agent" of the

Communist conspiracy to overthrow the United States. And not just Ike, but everyone around him was in on the game, including Secretary of State John Foster Dulles and his brother, CIA director Allen Dulles. It was turtles all the way down, if you know the old apocryphal line attributed to Bertrand Russell. It was also preposterous.

But it was brilliant marketing. As Mulloy writes, "Certainly no one could accuse [Welch] of lacking ambition." Although circulated "confidentially," the message of "The Politician" caught on. Especially with liberals. While membership of the Birch Society never exceeded more than 100,000 people at its peak, liberals in the early 1960s were certain they were seeing the second coming of McCarthyism. Journalists jumped to attention, making sure they wouldn't miss sounding the alarm.

In a supreme irony, California attorney general Stanley Mosk issued a breathless report about the threat the Birch Society posed to democracy that, he said, was merely his "personal observations," but which was regarded as authoritative since it came from the state's chief law enforcement officer. McCarthy would have been proud. (It was the Mosk report, by the way, that originated the popular phrase that right-wing extremists included a lot of "little old ladies in tennis shoes.") Mulloy writes that the John Birch Society was thought to be "on the verge not only of taking over the Republican Party and propelling a dangerous 'extremist' into the White House, but also of being a threat to the very foundations of American democracy itself, and perhaps even enabling the rise of fascism in the United States."

This kind of reaction from the media and the liberal establishment guaranteed that the Birch Society would prosper. Throughout the next decade, Welch displayed a consistent P.T. Barnum streak, maintaining a fever pitch with periodic "major announcements" of new insights into the latest dimensions and tactics of the Communist conspiracy.

While the deeply conspiratorial paranoia of Birch Society analysis was

ultimately its undoing, starting in the late 1960s, some of the political analysis that Welch and others at the Birch Society produced was cogent and sophisticated. Welch was equivocal about the Vietnam war at the outset, thinking the United States was being lured into a trap and making a mistake in bailing out the colonial legacies of France and Great Britain. And while he criticized the Civil Rights Act of 1964, for reasons similar to those of Barry Goldwater, Welch nonetheless argued for desegregation in the South and worked to expunge any expression of racism in the Birch Society. Mulloy notes that the common charge that the Birch Society was anti-Semitic is wrong and that the image of the society as a hotbed of fascism is badly overwrought.

The Birch Society posed significant problems for Republicans and for the nascent conservative movement. Mulloy goes into detail about Welch's interactions with William F. Buckley, who dealt carefully with Welch in part because many of *National Review's* early financial backers were Birch Society supporters. Buckley cleverly argued that Welch was "an optimist," that the problems of the West were much more serious and deep-seated than what a practical conspiracy could explain. But Russell Kirk had the best riposte: "Eisenhower's not a Communist—he's a golfer."

Buckley would later take a harder public line against the Birch Society, a move that cost *National Review* readers and supporters, but which also began the slow marginalization of the society. (Welch struck back years later, charging that Buckley's effete "ivory-tower" conservatism was useless and that if Buckley had not existed, Moscow would have invented him.) The society's marginalization was not accomplished, however, before its prominence complicated Barry Goldwater's 1964 presidential campaign and, to a lesser extent, Ronald Reagan's first campaign for governor of California in 1966. Despite being urged by Buckley and other conservatives to repudiate the Birch Society, Goldwater thought he could

not afford to alienate the group and its sympathizers.

While the Birch Society's stylings were an albatross for Republicans, let me suggest something Mulloy doesn't entertain: Liberals *loved* the John Birch Society—almost as much as Moscow must have loved it. Liberals secretly enjoy being terrified of right-wing-extremist threats for much the same reason so many moviegoers thrill to horror/slasher movies: They like the *frisson* of having strident opponents whom they don't think they have to take seriously, especially if they can project the fringe as representing the mainstream of their political opposition.

Mulloy's generally straight and unbiased account of the Birch Society falls into this familiar rubric on either end of the main body of his narrative. He thinks the John Birch Society, rather than being mostly a sideshow, "played an essential role in the revitalization of conservatism both as a political philosophy and as a vehicle for the attainment of practical political power in the United States." Does anyone still revere or study Robert Welch as an icon or thinker comparable to James Burnham, Russell Kirk, or William Buckley? Is it really plausible that the conservative movement would not have made the progress it did without the Birch Society? The Tea Party, Mulloy thinks, represents "a revival of sorts" for the John Birch Society, which misses the distinction that the Birch Society depended almost entirely on the leadership of Robert Welch and elected very few people to public office, while the Tea Party, which has no figure remotely comparable to Welch, has succeeded in winning a number of significant races (as well as committing a number of blunders).

Like many histories of conservatism written by nonconservatives, *The World of the John Birch Society* treats the ideas of conservatism lightly or not at all. For all of the interesting detail in this narrative, Mulloy's strained interpretive conclusion will leave many readers puzzled about how the conservative movement actually thrived and prospered in the aftermath of the Birch Society's shooting star. ♦

BCA

# Take Your Medicine

*This 'prescriptive' is a hard pill to swallow.*

BY BARTON SWAIM

In 2007, I went to work as a speechwriter in a political office. Although my boss didn't care much for my writing, the rest of the staff considered me an authority on grammar and usage. I was the writer, they seemed to reason, so I must understand the deep magic of the English language. Nearly every day my phone would ring and someone would ask, "Is it 'none is' or 'none are'?" or "Can you use 'impact' as a verb?" or "Do you capitalize 'judicial branch'?"

At first I tried to respond with nuanced explanations about how this rule wasn't followed much anymore or that usage was pretty common but best avoided. But I sensed impatience. All my questioners wanted to know was what was right and what was wrong. They didn't care what was "generally accepted" or defensible; they wanted to know what they should say in order not to sound stupid. So I gave it to them on my own authority: "none is"; "impact" is never a verb; "judicial branch" is lower case. That seemed to satisfy.

And that's all most readers want from a book on English grammar and usage. They want to know what to write and what to avoid—not because they want to follow arbitrary rules set down by the anonymous rulemakers of the past, but because they want to express themselves in ways that don't cause distraction. Similarly, an American preparing for a holiday in Italy may want to know if Puglia is pronounced with a hard or silent "g"—not because pronouncing it incorrectly will mystify his Italian

Barton Swaim is the author of *Scottish Men of Letters and the New Public Sphere: 1802-1834*.

## Gwynne's Grammar

*The Ultimate Introduction to Grammar and the Writing of Good English*

by N.M. Gwynne

Knopf, 288 pp., \$19.95

hosts, or because he doesn't understand that pronunciations are mere conventions and not laws of nature, but because he doesn't want to sound like an ignoramus.

It doesn't matter how many academic linguists tell us that language changes over time and that what's accepted today was considered ungrammatical a century ago. It doesn't matter how many books—Steven Pinker's *The Language Instinct* (1994), David Crystal's *How Language Works* (2005), Ammon Shea's *Bad English* (2014)—explain that grammatical rules stifle expression and stunt a language's natural evolution. All of this may be true, but none of it matters. Educated people still want to know whether they should write "amuck" or "amok," "between" or "among," "flounder" or "founder," "infer" or "imply," "it's he" or "it's him."

The market is constantly ripe, therefore, for any book that will flout the fashion for permissiveness and explain to readers in direct, unfussy prose how they should construct sentences and what mistakes they should avoid. Hence, the success of Bryan Garner's *Dictionary of Modern American Usage* (1998), a highly prescriptivist guide to usage that's now in a third and much-expanded edition as *Garner's Modern American Usage*. (A typical entry in Garner: "Impactful, adj., is barbarous jargon from the 1970s.") Similarly, the transatlantic popularity of Lynne Truss's *Eats, Shoots, &*



*Leaves* (2003)—a book purporting to lay down the law on matters of punctuation—suggests that readers don’t want to be told one more time that the rules don’t matter.

Another book, this one more narrowly concerned with grammar, has been enjoying success in Great Britain and has just been published here: *Gwynne’s Grammar* by N. M. Gwynne. The author, a retired businessman, teaches Latin and English grammar in a variety of settings. His book explains the rudiments of grammar—parts of speech, punctuation, and so on—in a manner that’s at once warm and utterly self-assured.

I suspect the appeal of *Gwynne’s Grammar* derives, in large part, from the author’s profoundly countercultural approach. He is an unashamed prescriptivist: someone who believes it’s legitimate to prescribe conventions by which people ought to abide rather than merely describe what those conventions are. On the question of whether the masculine pronoun may be used for a person of either sex (e.g., “When a diplomat claims immunity, you can’t help but assume he has done something wrong”), Gwynne’s judgment is unambiguous. Many writers would substitute “he or she” to avoid the charge of sexism; some, reveling in political correctness, would write “she.” A distressingly large majority would use the ungrammatical “they.” Gwynne thinks this last is “offensive to logic and common sense” and “shockingly illiterate when in writing.”

He is an enthusiastic proponent of memorization, too, putting him well outside post-1950s conventional wisdom. He urges readers young and old to memorize the book’s definitions of keywords (“subjective,” for example).

Merely to *understand* a rule is almost never sufficient. Unless it is *memorized*, and in such a way as to *keep* it in the memory, all too soon, typically, children are as incapable of applying the rule as if they had never come across it.

Nor has Gwynne any patience with the fashion for pictorial graphics in educational textbooks: “Pictures in textbooks actually interfere with the learning process.” *Gwynne’s Grammar*, therefore, would seem to be everything hidebound reactionaries like this present reviewer could hope for. But it isn’t.

Gwynne, though refreshingly opinionated, has an unfortunate penchant for indefensible generalizations. For instance: “[Mistakes] such as ‘Between you and I’ and the politically correct illiteracy ‘Anyone in doubt should

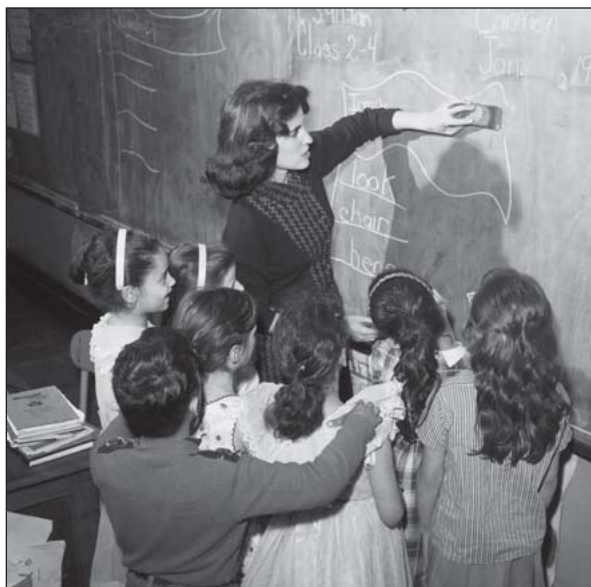
makes no sense to do so (“Let no one be deceived into thinking that learning grammar is a luxury of relatively little purpose”). His sentences are also distractingly replete with italics, as if he doesn’t trust the reader to know where to place the emphasis.

The middle third of the book is made up of William Strunk’s booklet *Elements of Style*, originally published for Strunk’s Cornell students in 1919 and expanded by one of them, E. B. White, in 1959. I am not sure that Strunk’s original, and far shorter, guide is as superior to White’s expansion as Gwynne thinks. It’s certainly superior to the more recent revisions of the original Strunk and White, but a writer won’t go far wrong by following Strunk, with or without White.

If only Gwynne would follow Strunk’s advice more regularly. Against Strunk’s instruction, Gwynne seems to relish using the passive voice. The second sentence of *Gwynne’s Grammar*, a plea to the reader not to skip the book’s preface, says: “The reader is urged not to skip past it, and indeed is urged to read it with some care.” Gwynne prescribes rules, he says, “under the authority of being a conscientious conveyor of what can be *shown* to be true.”

*Gwynne’s Grammar* has its strengths, to be sure. In a chapter on the importance of writing properly metrical verse, Gwynne argues—a little forcefully in my view, but nonetheless with sound logic—that metrical versifying was for centuries an indispensable part of learning how words work together, and that the destruction of poetic meter was therefore a tragedy for written English. Furthermore, Gwynne’s contention that English doesn’t change nearly as much as descriptivist grammarians claim is bound to elicit howls of outrage from the usual quarters.

At the same time, though, a poor stylist with a propensity to gross overstatement probably shouldn’t write a book on English grammar and usage. The reader is urged to leave this one alone. ♦



*Grammar lesson in New York (1961)*

ask their teacher,” he writes, “would never have been made at any level of society fifty or sixty years ago.” One appreciates Gwynne’s enthusiasm, but that last statement is completely untrue. When Dickens, Scott, Hardy, and many others put bad grammar into the mouths of their lower- or lower-middle-class characters, they did so because that’s the way many people actually talked.

Worse than that, Gwynne isn’t a very good writer. Any author dishing out strictures like the ones in *Gwynne’s Grammar* had better make sure his own prose is above reproach. Yet Gwynne’s is consistently awkward. He repeatedly uses the superfluous phrase “very much” and several times uses the word “relatively” when it

# Why Do We Read?

*'Wisdom and insight' as the purpose of literature.*

BY JAMES SEATON

**G**ary Saul Morson is a rarity in American academia. The holder of an endowed chair at Northwestern University and winner of prestigious literary awards such as the René Wellek Prize from the American Comparative Literature Association nevertheless admits publicly that he most often turns to literature “as a source of wisdom and insight.” Despite his renown, Morson has few followers among contemporary critics: The compendious *Norton Anthology of Theory and Criticism* lists 12 modern and contemporary schools and movements, but none of the 12—representative examples include deconstruction and poststructuralism, Marxism, psychoanalysis, gay and lesbian criticism and queer theory—seems to have room for literary critics who search for “wisdom and insight.”

If the currently approved schools of criticism deal with Morson’s approach to literature mainly by ignoring it (even while his professional peers, to their credit, acknowledge his individual achievement), Morson himself goes far to explain the continuing appeal to academics of long-discredited approaches in this intriguing study of proverbs, maxims, apothegms, and related forms. To appreciate wisdom it is necessary to be able to recognize folly. For Morson, folly is located most prominently in the short, sweeping assertions he classifies as “dicta.” The author of a dictum claims, implicitly or explicitly, to have “not

*James Seaton, professor of English at Michigan State, is the author, most recently, of Literary Criticism from Plato to Postmodernism: The Humanistic Alternative.*

## The Long and Short of It

*From Aphorism to Novel*

by Gary Saul Morson  
Stanford, 296 pp., \$24.95



*‘Whereof one cannot speak . . .’  
(Ludwig Wittgenstein)*

solved just a riddle, but *the* riddle, the one providing the key to all others.” A dictum cannot include qualifications; a dictum with qualifications is not a dictum at all but only a mundane rule of thumb. Dicta are appealing because “they promise rewards, the most important of which is the banishment of doubt.”

Intellectuals are more likely than others to come under the spell of dicta because of their “belief in beliefs, and their still stronger belief in those who believe in beliefs—that is, in themselves.” Intellectuals may pride themselves on their lack of wealth and their putative resistance to the powers that be, but they find it hard to resist doctrines that offer an adherent “gratifying confidence in one’s own clear-sighted and worldly

sophistication.” An intellectual who believes, with Freud, that he “discovered the scientific method by which the unconscious could be studied,” or, with Marx and Engels, that “the history of all hitherto existing society is the history of class struggles” is entitled to look down on all those unable or unwilling to grasp such all-important truths.

Morson finds wisdom encapsulated most powerfully in what he calls “prosaic apothegms,” which “teach us to suspect hasty generalizations and to perceive ever finer distinctions.” Montaigne, who wrote, “When I confess myself religiously to myself, I find that the best goodness I have has some tincture of vice,” exemplifies this world view in his essays. Tolstoy and George Eliot likewise exemplify it in novels like *War and Peace* and *Middlemarch*, works whose lengths do not prevent them from including prosaic apothegms. Such novels encourage us to attend to “the texture of ordinary existence” by dramatizing both the complexity and “the supreme importance of the ordinary.”

In *War and Peace*, Napoleon is not defeated by General Kutuzov’s superior military genius but by the consequences of myriad decisions made many times a day by people unknown to history about seemingly insignificant matters. In *Middlemarch*, Dorothea Brooke does not become a famous, revered figure like Saint Theresa, but she does become, in her own unheralded way, a source of goodness. Napoleon’s Russian campaign is truly disastrous, but Dorothea’s failure to become a saint is not really a failure at all; the effect of her undramatic goodness on those around her is (in Eliot’s wonderful phrase) “incalculably diffusive.” Ending her long novel with a prosaic apothegm, Eliot observes, “[T]hat things are not so ill with you and me as they might have been, is half owing to the number who lived faithfully a hidden life, and rest in unvisited tombs.”

While the prosaic apothegm encourages one to look more closely at the everyday world, the “mystical apothegm” asserts that nothing could

possibly clarify “the world’s fundamental mystery.” Bertrand Russell admired the logical prowess of the young Ludwig Wittgenstein but didn’t know what to make of the mystical apothegms that are, today, the best-known statements of the *Tractatus Logico-Philosophicus*—statements such as the one that Wittgenstein asserted summed up the “whole meaning” of the book: “What can be said at all can be said clearly; and whereof one cannot speak thereof one must be silent.”

However, the later Wittgenstein, as exemplified in *Philosophical Investigations*, writes in a very different way and works out a different view of the world. Morson contends that the difference between Wittgenstein’s earlier and later works may be understood “as a change in genre, from the mystical to the prosaic apothegm.” The young Wittgenstein believed our inability to understand the world was inevitable, because “the sense of the world must lie outside the world.” In contrast, in *Philosophical Investigations*, Wittgenstein urges his readers not to accept the categories established by words but rather to “look and see” the world around them. In doing so, we are likely to find that the world is more complicated than language suggests. In Morson’s paraphrase, “If we ‘look and see’ we find a multiplicity and a diversity, numerous discrepant things likened to each other by ‘family resemblances.’”

Although Morson has a special fondness for the worldview of the prosaic apothegm, he does not, like the authors of dicta, refuse to acknowledge the legitimacy of other worldviews. There are occasions when the search for “ever finer distinctions” is out of place, when instead a “summons” or “heroic pronouncement” is needed. In English history, Admiral Lord Nelson’s admonition at Trafalgar that “England expects that every man will do his duty” and Churchill’s “I have nothing to offer but blood, toil, tears, and sweat” are examples of “summonses” that resonate long after the events that called them forth. Lincoln’s Gettysburg Address

is perhaps the greatest American example of a summons; it shares with the words of Nelson and Churchill a “peculiar modesty.” All three speakers avoid “self-aggrandizement,” any hint of which, in Morson’s view, is fatal to the summons.

Disclaiming certainty (“I do not know whether my reaction is unique”), Morson offers his opinion that John F. Kennedy’s 1961 Inaugural Address ultimately fails as a summons. The speech “calls attention to itself” through overly clever wording, as in its “self-



‘... but let us never fear to negotiate’  
(John F. Kennedy)

conscious reversals (‘Let us never negotiate out of fear, but let us never fear to negotiate’; ‘Ask not what your country can do for you, ask what you can do for your country’) and therefore lacks the “peculiar modesty” of a great summons. In an era of postmodernist skepticism, the call to arms of a Nelson, a Churchill, a Lincoln, or even a John F. Kennedy seems outmoded. Morson notes that “Educated people often wince at the rhetoric of honor. . . . No intellectual ever lost the respect of his peers by underestimating the need for war.” Skepticism about patriotism, religion, or traditional morality may, however, prepare the way for new beliefs and new summonses. Morson

notes that “there are no unbelievers at Whole Foods.”

Inventing words to make his point, Morson argues that sometimes the context in which an aphorism appears robs it of its original profundity: “Place anything on a Celestial Seasoning box and it becomes a sappy saying. . . . Posters and greeting cards, especially if sold in expensive craft shops, sappify or treaclify anything.” Morson, who is more than willing to note folly when he sees it, remains aware that the motives for pointing out aesthetic or literary flaws in great writers may include vanity as well as intellectual probity: “The more refinement it takes to detect a sample of bad taste, the greater the status its detection confers.” Not content to make the point in prose, he emphasizes his idea with a heroic couplet: *When Wordsworth stumbles, or when Johnson falls, / Not all, but us, the blackened page appalls.*

Whereas dicta must seem to “apply always and everywhere” and are “tied to no occasion,” witticisms “depend on timing.” A witticism on one’s deathbed achieves its full power not only because of its humor but because it seems to dramatize a triumph over death. The speaker refuses to succumb to fear by turning to wit. On his deathbed, Oscar Wilde insisted that “either that wallpaper goes, or I do.” Out of context, many of Wilde’s sayings are merely variations on what Morson calls “the reverse commonplace,” which might seem clever for a moment but on reflection are merely shallow: “I can resist everything except temptation” or “I can sympathize with everything except suffering” are amusing but lack the resonance of the kind of wit that dramatizes “the capacity of the mind to transcend circumstances.”

It is a reviewer’s cliché to say that a book is full of “wit and wisdom,” but here the cliché is an accurate description. And even though Morson favors prosaic apothegms, there is room in his world for all sorts of maxims and wise sayings, even dicta—“if rephrased as perceptive exaggerations”—and, sometimes, clichés. ♦



# Mystic Chords

*The gospel according to the Arvo Pärt Project.*

BY CATHERINE P. LEWIS

**T**he influence of Eastern Orthodox Christianity on composer Arvo Pärt's music is undisputed: His minimalist music draws from obvious religious inspiration. The specifics are less straightforward, though, leaving his compositions feeling more abstractly spiritual than overtly doctrinal. Despite the particulars of his own religion, his work has a nearly universal appeal. According to the *Bachtrack* guide, his music is the most performed of any living composer.

The newly formed Arvo Pärt Project seeks to analyze the relationship between Orthodox theology and Pärt's body of work. Founded by two faculty members at St. Vladimir's Orthodox Theological Seminary in Crestwood, New York, the project is surprising only in its timing: The 78-year-old Pärt has been a prominent composer for decades, so it's hard to believe that there hasn't been such a formal study of his religious influences before now.

This academic collaboration is ongoing, with publications still to come, but the most public portion of the project so far was a series of concerts and lectures in Washington and New York in late May and early June. These performances featured all-Estonian musicians—the Tallinn Chamber Orchestra, conducted by Tõnu Kaljuste, and the Estonian Philharmonic Chamber Choir—and were attended by Pärt himself. There were intimate performances at the Phillips Collection in Washington and at the Temple of Dendur at the Metropolitan Museum of Art,

as well as panel discussions at George Washington University and the Met. But the largest and most majestic concerts of Pärt's visit to the East Coast were at the Kennedy Center in Washington and at Carnegie Hall in New York



*Arvo Pärt at the Met (2014)*

(which marked Pärt's first appearance in New York since 1984).

These two performances followed a similar program. Both started with the violin-led *Fratres* (1977) and ended with the choral *Te Deum* (1984-1985), and both featured *Adam's Lament* (2009) and *Cantus in Memory of Benjamin Britten* (1977). The order of the intermediate songs differed in the two performances, and the Carnegie Hall concert also included *Salve Regina* (2001), with a celesta joining the choir and string orchestra. But both programs were laid out smartly, with

some of Pärt's newer pieces bookended by his most famous and recognizable compositions.

Only a few days apart, the performances had some minor sonic differences: Lead violin Harry Traksmann seemed a bit shaky at the start of *Fratres* at Carnegie Hall, but the choir blended more cohesively in New York than in Washington. Overall, though, the Arvo Pärt Project's focus on the composer's religion was clear, most especially with the mournful *Adam's Lament*, whose Russian text shows the fall of Adam as symbolic of the suffering of mankind and includes a final prayer for mercy and humility. The show-closing *Te Deum* was haunting in its simplicity, with chants and choral echoes raising up the humblest of prayers.

By far, though, the most surprising choice for these performances, given the theological focus of the project, was the secular *Cantus in Memory of Benjamin Britten*. Featuring Pärt's characteristic *tintinnabuli* style, the song follows staggered descending A-minor scales, somehow managing to suspend the passing of time during its final resolution. The song's inspiration isn't religious, but its delivery almost certainly is. It offers a glimmer of hope in the form of a subtle bell overtone that faintly hints at a major chord after the somber tone of the rest of the song has died down. Pärt wrote the song upon the death of Britten, and its juxtaposition in this otherwise religious program was striking. Grief followed by hope, suffering followed by redemption:

The song's sonic arc suggests a spiritual path even though its inspiration seems secular on the surface.

Arvo Pärt did not perform or conduct during the concerts, and he was only onstage to bow and to acknowledge the musicians after each performance. He didn't speak at all, but he did manage a wink of humor: After thunderous applause brought him back onstage to bow again and again at Carnegie Hall, he placed his palms together under his tilted head, signaling to the audience that enough was enough. Time for bed. ♦

*Catherine P. Lewis founded and maintains the concert calendar ShowlistDC.*

GETTY IMAGES

# The Hunger Artists

*A short-term investment in high-yield talent.*

BY JOE QUEENAN

When writers become famous, it is easy to forget that they were once obscure, and sometimes very poor. Yet with few exceptions—Homer, Tacitus, Omar Khayyam, Jonathan Safran Foer—even the greatest writers had to slave away at menial positions before their careers took off and they could support themselves with their pens alone.

William Faulkner worked as a night watchman in a mine. Herman Melville delivered newspapers. Harper Lee was an airline reservations clerk. J.D. Salinger, after working construction at Madison Square Garden, was briefly employed as the entertainment director on a Swedish luxury liner. While waiting for fortune to smile upon them, many young writers took jobs far below their talents. George Eliot moonlighted as a seamstress. Suetonius sold figs. Herman Hesse spent three years as a bouncer at a tough Bremen nightclub called *Das Boots und Dem Saddles*. Even the immortal Aeschylus interned as a hod carrier during summer vacations in Egypt.

One little-known field where our greatest writers marked time while waiting for their ship to come in was financial analysis. Such luminaries as Marcel Proust, James Joyce, Emily Dickinson, Henry James, Simone de Beauvoir, and Gabriel García Márquez all worked as financial analysts for major brokerage houses in the United States, England, France, Switzerland, and (in García Márquez's case) Caracas and Puerto Vallarta. Their job was to collate raw materials supplied by the firm's top research analysts and write them up in clear, levelheaded reports that were

then sent off to wealthy investors. In effect, they were hired as ghosts.

Usually, these jobs did not last very long. To their employers' great displeasure, the writers regularly deviated from the arid, boilerplate language that was considered *de rigueur* at the time, instead writing up the reports in needlessly colorful and often quite inventive prose. The fruits of their labors are now on display on the mezzanine level of the Bibliothèque Nationale in Paris.

What is most remarkable about the work is the extent to which the writers had already developed the prose styles for which they would soon become famous. Consider this section from a report on the European bond market penned by Ernest Hemingway when he was just 22 years old and doing an eight-month stint at a Toronto brokerage house:

Europe's fiscal woes worry the Canadian investors. It is not fine to worry the Canadian investors, because if the Canadian investors worry about the leveraged-debt problems of Southern Europe, then the Americans will worry next, and after them the *toreadors*. This is not fine. It is fine to worry the *toreadors* a little, but it is not fine to worry them a lot. "*Qué tal?*" ask the worried *picadors*. "*Qué tal?*" ask the bartenders. The *camerieri* and the *garçons* and the *chanteuses* all worry about international sales exposure within the Dow. All of them say: "If the report on consumer durables is not fine today, will the report on cyclical goods and copper be fine tomorrow?"

Many other documents of this nature are on display. Here is the future Nobel-ist Albert Camus discussing valuation metrics in a 1932 report for the Algerian brokerage firm Tuareg & Fils: "There is no point in discussing valuation metrics," he writes. "Not now. Not ever.

There is no point in it. Life is completely and utterly meaningless, and valuation metrics cannot change that." Needless to say, Camus was quickly shown the door. So, too, was Kurt Vonnegut Jr., who got canned after his very first day on the job, after writing this snide report on 30-day moving averages:

Listen: The 30-day moving averages are moving. And so it goes. The 30-day averages are moving, all right. Moving. And so on. They are moving along at a zippy pace. Very zippy. And so it goes.

Though it was quite rare for women to work in the world of finance, Jane Austen spent four months at her uncle's wire house in Winchester, where she generated a thought-provoking, albeit somewhat meandering, report on consumer durables, containing such extraneous asides as this: "It is a truth universally acknowledged, that a single man concerned about the direction of consumer durable prices, must be in want of a wife."

One of the most fascinating reports on display in Paris has a gloomy 23-year-old Samuel Beckett offering his terse opinions on the advisability of buying zero-coupon bonds as a long-term investment for one's children: "Buy zero-coupon bonds. Watch bonds fail. Buy more zero-coupon bonds. Watch bonds fail. Buy more zero-coupon bonds. More zero-coupon bonds. More zero-coupon bonds. Watch bonds fail. Next time, fail better."

Perhaps the most interesting item of all is a report written by Oscar Wilde *after* his career lay in ruins. Finding no market for his work after serving two years in Reading Gaol, the disgraced Wilde emigrated to Paris. Penniless and deserted by his friends, Wilde had no choice but to take a job writing analyst reports at a seedy Montmartre brokerage house. Here is a typical example, contained in his report on municipal bonds being issued to build a new sewage system in Ivry-sur-Seine: "The only thing worse than building an absurdly expensive new sewage system in Ivry-sur-Seine is *not* building an absurdly expensive new sewage system in Ivry-sur-Seine."

It was Wilde's last paycheck. ♦

Joe Queenan is the author, most recently, of *One for the Books*.

# Shall We Gather?

*The history of Texas in the Bloys Camp Meeting.*

BY JOHN STEINBREDER

*Fort Davis, Texas*

**I**n 1884, John Zach Means and his wife Exa acquired a ranch just outside the tiny town of Valentine, Texas. The spread was called the Y6, after a cattle brand he had designed, and the couple's move there was the happy culmination of several years of despair and hard work.

Four years earlier, the young couple had left their home in Central Texas for what he considered to be the more open spaces of the West, traveling by ox-drawn wagon with their baby daughter Elma, along with 50 Hereford cows and two bulls. It had taken John Zach four years of working on his uncle's ranch, earning room and board and a monthly salary paid in cattle, to build up that herd. And he was excited about the new life that awaited him and his new wife, who was only 16.

But one morning during the journey, he woke up surrounded by Comanches—and they gave him a simple option: Ride away and leave the livestock, or stay and fight. As he clutched his rifle and glared at the Indians, John Zach knew he had no choice. He and Exa turned their wagon around and slunk back to where they had started.

Three years later, they made the move westward again, with a new herd and a newborn boy named Sam. And this time they got through, settling in the rugged Davis Mountains. In addition to tending to his own cows, John Zach worked for other ranchers in the area to earn extra money. Water was scarce, and he had to move camp whenever creeks dried up.

*John Steinbreder is a senior correspondent for Global Golf Post and a visiting professor at Franklin College, Switzerland.*

One day, John Zach heard there was a spread in Valentine for sale, and he rode off to meet the owner. It was an arduous trek through the hills, but it turned out to be worth the trip: When John Zach was able to cut a deal for the land, he and Exa finally had a place of their own.



*Cook shed, Means & Evans Camp*

They both quickly settled into life at the Y6, with John Zach tending to his herd and Exa taking care of their growing brood of children. She read the Bible to them each night and looked forward to the days when Reverend William Benjamin Bloys stopped by. He was a Presbyterian minister who served as pastor of a church in nearby Fort Davis, which had been named for Jefferson Davis when Davis served as secretary of war under Franklin Pierce. Bloys often called on families in the area, riding his horse from ranch to ranch to offer counsel to cattlemen who were too busy and spread-out to make frequent trips to town—even for church.

Much as Exa relished those visits, she missed being able to worship with other ranch families. She suggested to Bloys that they find a way to bring everyone together once a year. Bloys liked the idea so much that he organized a meeting that fall, picking a time after branding was over and before the cows needed to

be shipped to market. On October 10, 1890, 47 people (including Exa, John Zach, and their four children) gathered at a place some 40 miles from the Y6 called Skillman's Grove.

For three days, the families camped at that spot, some 6,000 feet high in the Davis Mountains. Bloys preached from under a mammoth live oak, an Arbuckle's coffee box serving as his pulpit.

More than a century later, people are still congregating at Skillman's Grove, and this year I was once again among the 3,000 men, women, and children attending what has come to be known as Bloys Camp Meeting. The conclave lasts a week, and it is a time to catch up with friends and family and attend services in the tin-roofed, open-sided tabernacle that was built in 1912. Some participants sleep in tents, but the majority stay in austere cabins on the grounds. Meals are still prepared in cook sheds over open fires and consist mostly of beef and beans, cobbler, and biscuits. Beef brisket and legs of lamb are slow-cooked in smokehouses and chilies are roasted on grills.

Children run around with lassos, flinging loops at imaginary calves, and wander the scrubby hills. Cowboy boys whittle during sermons, and every afternoon at five, men meet at a prayer tree to read passages from the Bible and talk. When church is not in session, people "visit" on the concrete porches of cabins, sharing cookies from tins and pouring iced tea.

Exa and John Zach Means are my great-grandparents, which is a big reason why I make the journey to Bloys Camp Meeting each year. It is a place where I can reconnect with my pioneer roots and spend time with my cowboy kin, some of whom still toil on the land John Zach once worked. The gathering also serves as an important source of spiritual sustenance, which is exactly what Reverend Bloys and Exa Means wanted it to be.

It's a long trip each year from my Connecticut home to the campgrounds. But the trek is not nearly as trying as the one John Zach and Exa Means made across Texas a century ago, and I am always glad to have made the journey.

◆ EXA LEIGH



# Real Time Passing

*Not so mad about the boy, but the premise is promising.*

BY JOHN PODHORETZ

If you know that *Boyhood* has been rapturously received as a revolutionary work in the annals of American filmmaking, it is almost sure to disappoint you. I know this, because I saw it two weeks after it opened and it disappointed me, even though I knew I was seeing something no other filmmaker had ever really tried before and that the experiment was an undoubted success.

*Boyhood* is a portrait of an American kid coming of age in Texas over a period of 12 years, using the same actors growing older in real time from 2002 to 2013. It is a unique effort to bring the literary genre known as *Bildungsroman* to film through the character of Mason, who matures from a dreamy 6-year-old child to a teenager on the cusp of manhood who wants to know what life is for.

Mason, as embodied by Ellar Coltrane, ripens before our eyes, as does his older sister Samantha (Lorelei Linklater). We see them grow, literally, over the course of the movie's 2 hours and 40 minutes. Such a thing has never been done before in a fictional movie; the four lead actors and the director and crew would assemble for a few days every year to film it. So it's an extraordinary achievement, all the more so because the writer-director Richard Linklater is so offhanded about it. He does not do anything to call attention to its groundbreaking qualities. *Boyhood* just happens.

The problem with *Boyhood*—as is often true of teenagers and is almost always true of *Bildungsroman* stories—is that the questions Mason raises are trite and his existential struggles are banal. When the movie is not about Mason,

John Podhoretz, editor of Commentary, is THE WEEKLY STANDARD's movie critic.

## Boyhood

Directed by Richard Linklater



Ellar Coltrane, Ethan Hawke

however, it's unusual and brilliant—and sociologically fascinating. For Linklater shows us just how commonplace the chaos and impermanence that characterize so many American boyhoods and girlhoods have become.

As this cute, round-faced boy turns into a strapping near-matinee idol, his mother Olivia (Patricia Arquette) goes from being a white-trash-dropout-divorcée to a feminist academic teaching at a community college—all the while making terrible choices in men. Olivia moves her son and daughter around and about Texas in pursuit of her own career and personal life. Linklater uses her journey to offer a nimble portrait of American middle-class life in our day, as the family moves from a small town to Houston to a McMansion suburb to a money-pit ranch house bought in a short sale after the financial meltdown.

Everywhere she goes, her children manage to make lives for themselves;

it is only Olivia who cannot find her place. She is foolish, and she knows she's foolish, and yet she can't help acting foolishly. At the same time, Mason Sr. (Ethan Hawke) goes from being a gad-about would-be musician delivering lectures in bowling alleys to his little kids about the evils of George W. Bush to a middle-aged bourgeois working for an insurance company and married a second time into a nice, churchgoing, gun-toting Republican family.

Both the parents are vividly limned and beautifully played by Arquette and Hawke under unprecedented conditions for actors: They maintained the integrity of Olivia and Mason Sr. and do not shy away from the profound weaknesses of these deeply flawed but well-meaning people throughout the 12 years of filming. The same is true of the enchantingly deadpan Lorelei Linklater, the director's daughter, who is the movie's breakout performer.

The problem with *Boyhood*, alas, is the boy.

Coltrane is an amazingly natural presence onscreen, but Mason is by far the least interesting character in the movie. In part, it's the classic David Copperfield problem; this is Linklater's own life story lightly fictionalized, and, as was true of Dickens and his autobiographical hero, Linklater is a far better observer of the behavior of others than he is a keen analyst of himself. He's a fascinating person in real life—a talented Texas jock who suddenly found himself obsessed with novels and movies when he hit his teenage years and decided to make himself literate in both before taking up filmmaking and hitting it big with his independent feature *Slacker* in 1991.

But the teenaged Mason lacks the drive and ambition of his creator. He takes up photography and is lectured by a high school teacher for failing to follow the necessary path to learn his craft, but that artistic interest seems grafted onto the vague and affectless kid we see before us. Mason seems pretentious and trite, and we tire of him 20 minutes before the movie ends.

Nonetheless, you really should see *Boyhood*, especially now that I've lowered your expectations. ♦ IFC FILMS

